
MIDRASHIC TEXTS AND METHODS IN TOSAFIST TORAH COMMENTARIES

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I

The relationship between biblical and talmudic studies in medieval Ashkenaz is rather complex, and a number of trenchant questions remain.¹ From all that we know about the Tosafists, and as E. E. Urbach's thorough treatment of their extensive literary corpus (in his seminal work, *The Tosafists: Their History, Writings, and Methods*) serves to demonstrate, talmudic and halakhic studies were at the core of the tosafist enterprise. Although the Talmud obviously cites and interprets myriad biblical verses for both halakhic and aggadic purposes and Tosafot passages include a fair amount of biblical interpretation in the course of their discussions and deliberations, the talmudocentric orientation of the Tosafists remains paramount throughout.

Thus, for example, in the realm of biblical studies, we cannot be certain that the search for *peshat* in twelfth-century northern France took place within the confines of the tosafist study halls, even though some of its leading adherents were also leading talmudic Tosafists. Rashi's grandson Rashbam (Rabbi Samuel ben Meir, c. 1085–c. 1158), the first of the twelfth-century northern French *pashtanim* (exegetes who sought the simple meaning of Scripture) who was also a full-fledged Tosafist, produced a comprehensive commentary on the Torah dedicated to *omek peshuto shel mikra* (the simple, literary interpretation of the biblical text), as well as commentaries on many of the other books of the Bible, not all of which are extant.² Rabbi Joseph ben Isaac Bekhor Shor of Orléans (d. c. 1200), a Tosafist student of Rabbenu

¹ See e.g. Kanarfogel, *Jewish Education and Society in the High Middle Ages* (Detroit, Mich., 2007), 66–99.

² See e.g. Sara Japhet, *The Commentary of R. Samuel ben Meir on the Book of Job* [Perush rashbam lesefer iyov] (Jerusalem, 2000), 9–11. On Rashbam as an early northern French Tosafist, see Efraim E. Urbach, *The Tosafists* [Ba'alei hatosafot], 4th edn., 2 vols. (Jerusalem, 1980), i. 48–57. Cf. Israel Ta-Shma, *The Literature of Talmudic Commentaries* [Hasifrut haparshanut latalmud], vol. i (Jerusalem, 1999), 58–66, 111–12, and Kanarfogel, 'Torah Study and Truth in Medieval Ashkenazic Rabbinic Literature and Thought', in Haim Kreisel (ed.), *Study and Knowledge in Jewish Thought* [Limud veda'at bemaḥshevet yisra'el] (Be'er Sheva, 2006), 101–19.

Tam (Rabbi Jacob ben Meir, 1100–71), authored an extensive Torah commentary that was somewhat closer to the method of Rashi's commentary in terms of its use of both *pesbat* and *derash*, as well as a commentary on the book of Psalms, of which only fragments are extant.³ In another study, I demonstrate that there were several other Tosafists in this period and beyond, including two additional Tosafist students of Rabbenu Tam, Rabbi Yom Tov of Joigny and Rabbi Jacob of Orléans (both of whom died in England c. 1190),⁴ as well as Rabbi Moses of Coucy (d. c. 1250), who produced a significant number of comments on the Torah, broadly following the commentaries and exegetical styles of Rashi and Bekhor Shor.⁵ Nonetheless, the venue for these scriptural activities remains unclear, especially since these Tosafist exegetes do not appear to interact overtly with students (or teachers) in the course of their biblical commentaries, as they often did in the course of talmudic discussions and comments.

In similar fashion, the phrase *pasbteb* (or *pesbatei dikera* (the simple meaning of the verse), found in a number of Tosafot comments on the Talmud, does not necessarily mean the same thing as *pesbat* or *pesbuto shel mikra* within the biblical commentaries of northern French *pashtanim*. Rather, in the parlance of Tosafot, this phrase typically refers to the way that most people would read or understand a biblical verse, unencumbered by the halakhic or rabbinic derivations and interpretations that are engendered by the hermeneutics of the Oral Law.⁶

³ See Yehoshafat Nevo (ed.), *Perushei r. yosef bekhor shor al batorah* (Jerusalem, 1994), editor's introd., 1–17; S. A. Poznanski, *An Introduction to Northern French Biblical Commentators* [Mavo al ḥakhmei tsarefat mefareshhei hamikra], 2nd edn. (Jerusalem, 1965), pp. lv–lvi, and Moshe Idel, 'R. Joseph Bekhor Shor's Commentary on Psalm Nineteen' (Heb.), *Alei sefer*, 9 (1981), 63–9.

⁴ R. Jacob of Orléans died as a martyr in London in 1189 (during the coronation of Richard the Lionheart), and R. Yom Tov of Joigny was killed in the pogrom at York in 1190. See Urbach, *The Tosafists* (Heb.), i. 142, 144.

⁵ See Kanarfogel, *The Intellectual History of Medieval Ashkenazic Jewry* (Detroit, Mich., 2012), chs. 2–4.

⁶ There are close to forty uses of this phrase (which appears in the Talmud itself some seven times; see e.g. *Eruv*. 23b, and Tosafot ad loc., s.v. *pasbteb*) in the standard Tosafot on the Babylonian Talmud. For the usual connotation of this phrase as described here, see e.g. Tosafot on *Shab*. 3a, s.v. *ba'asotab*; *Bets*. 20a, s.v. *lamad*; *Ket*. 7b, s.v. *shene'emar*; *Yev*. 78a, s.v. *mitsvi*; *BM* 61a, s.v. *kari*; *San*. 42b, s.v. *melamed*; *Men*. 53b, s.v. *ben yedid*; *Hul*. 24a, s.v. *minayin*. Tosafot on *Arakh*. 26a, s.v. *mai*, maintains that since the *pasbteb dikera* of the verse being discussed by the Talmud supports the halakhic interpretation of the *tana* R. Eliezer, the Talmud's attempt to ascertain the reasoning behind R. Eliezer's position appears to be superfluous. In two instances in tractate *Ta'anit*, the use of this phrase in Tosafot does have the connotation of more specialized *pesbat* exegesis. See Tosafot on *Ta'an*. 5a, s.v. *lo avo* (in reference to Hos. 11: 9, and cf. the commentaries of Rashi and R. Joseph Kara, ad loc.); *Ta'an*. 20a, s.v. *venatarot*; and cf. Tosafot on *Hag*. 5b, s.v. *ben* and *vayeybi*. It is also interesting to note that use of the phrase *pasbteb dikera* is almost never identified in the standard Tosafot with the name of a particular Tosafist. Cf. Tosafot on *San*. 43b, s.v. *amar* (Rabbenu Tam); *San*. 83b, s.v. *ein* (R. Jacob of Orléans); and cf. Urbach, *The Tosafists* (Heb.), i. 107 and ibid 460 (regarding R. Yehiel of Paris and his *Shitab lemo'ed katan*). On the connotation of *pasbteb dikera*, see also Sarah Kamin, *Rashi's Exegetical Categorizations* [Rashi: peshuto shel mikra] (Jerusalem, 1986), 28–37; *Rashbam's Commentary on Deuteronomy*, ed. Martin Lockshin (Providence, R.I., 2004), editor's introd., 2–3; and Moshe Ahrend, *Biblical Exegesis and its Instruction* [Parshanut hamikra vehora'ato] (Jerusalem, 2006), 9–16.

As the leading rabbinic scholars in northern Europe during the twelfth and thirteenth centuries, the Tosafists also cite (not surprisingly) a wide range of midrashic collections and perspectives in their talmudic comments.⁷ Indeed, the standard Tosafot on the Babylonian Talmud question and analyse talmudic *sugyot* (literary units) not only on the basis of halakhic and aggadic *midrashim* that were considered to be contemporary with the Talmud (i.e. that were thought to have been composed or edited during the talmudic period), but also in light of other *midrashim* whose origins and milieux are later and less clear.⁸

Study of the weekly Torah portion, together with the commentary of Rashi, surely provided additional opportunities for both the review and close analysis of *midrashim* (if not for the study of *peshto shel mikra* as well).⁹ Indeed, *Genesis Rabbah* seems to have been an especially important and widely studied text in this regard. An unidentified German rabbinic student of two French Tosafists of the mid-thirteenth century, Rabbi Yehiel of Paris and Rabbi Tuviah of Vienne, records his efforts at verifying a text of *Genesis Rabbah* that had been cited by Rashi in his Torah commentary, but that did not appear in full in the student's copy of *Genesis Rabbah*.

⁷ See e.g. Peretz Tarshish, *Figures and Books in the Tosafot* [Ishim usefarim batosafot] (New York, 1942), 87–9, 93–7, for lists of the various midrashic works cited within the standard Tosafot on the Babylonian Talmud.

⁸ See Urbach, *The Tosafists* (Heb.), ii, 701, 704, 713–15. Cf. Yonah Fraenkel, *The Methods of Aggadab and Midrash* [Darkhei ha'agadah vehamidrash] (Givatayim, 1991), i, 516–23.

⁹ On the study of the weekly Torah portion (especially with the commentary of Rashi) as part of the curriculum of the tosafist academies, or as an individual activity undertaken by leading Tosafists and other rabbinic figures and their students, in fulfilment of the talmudic requirement of *shenayim mikra ve'ehad targum* (reciting each verse of the weekly Torah portion twice and the Aramaic Targum of the verse once) (BT *Ber.* 8a–b), see e.g. Kanarfogel, *Jewish Education and Society*, 81–2, and 182 n. 111; Y. S. Penkower, 'The Canonization of Rashi's Commentary on the Pentateuch' (Heb.), in Kreisel (ed.), *Study and Knowledge in Jewish Thought*, 123–46; R. Isaac b. Moses, *Sefer or zarua* (Zhitomir, 1862), pt. 1, 'Hilkhoh keriat shema', §11; and R. Samson b. Zadok, *Sefer tashbets*, §185. The standard Tosafot on the Babylonian Talmud cite Rashi's Torah commentary (*perush humash lerashi*, or *nimukei humash/rashi* in Tosafot on *Hag.*, 6b, s.v. *r. akiva*; 12a, s.v. *misof*; and 16b, s.v. *av*) on nearly twenty-five occasions. These citations are introduced, however, mostly to confirm or to question the Talmud's interpretation or use of a particular verse or phrase. See e.g. Tosafot on *Ket.* 20b, s.v. *r. yohanan*; *Git.* 60a, s.v. *torah*; *BB* 115b, s.v. *melamed*; *Men.* 94a, s.v. *ukheshebu*. On occasion, however, a Tosafot passage will take the opportunity to deliver a critical review of (and even to question) Rashi's comments on the Torah. See e.g. Tosafot on *RH* 3a, s.v. *vayishma (verashi lo dak beferusbo humash)*; *Yoma* 4a, s.v. *nikhnesu (vekhen piresh rashi peshto beferusbo humash)*; *Yoma* 5b, s.v. *biketonet*; *Ket.* 37b, s.v. *ve'ahar*; *BB* 117a, s.v. *umahazirin*; *Men.* 75a, s.v. *kemin (verashi piresh beferusbo humash shenehlekhu baben hakhmei yisra'el. . . velo matsinu mahaloket zeh basbas shelanu)*. Tosafot on *Arakh.* 15b, s.v. *bitavu*, presents a comment by R. Joseph Kara about the quail that the Israelites received as food, which conflicts with Rashi's comment on that verse (Num. 11: 4). Tosafot on *Men.* 65a, s.v. *ahad asar*, points to a contradiction between Rashi's talmudic commentary and his Torah commentary (on Deut. 1: 2). Cf. Y. Fraenkel, *Methods of Aggadab and Midrash* (Heb.), i, 517. For a discussion and detailed talmudic analysis of a comment by Rashi on the Torah (Exod. 4: 19) that seems to have taken place, at least initially, within the literature of the Tosafot on the Talmud (even as Rashi's comment is not explicitly mentioned), see Tosafot on *Ned.* 7b, s.v. *aniyut*, and Tosafot on *AZ* 5a, s.v. *ela*. Cf. *Tosafot bashalem*, ed. Jacob Gellis, vol. vi (Jerusalem, 1987), 114–15, and MS Paris (Bibliothèque Nationale) Heb. 1292, fo. 49^v.

The student thought that his copy was perhaps defective. When he reached France, however, he checked the *Genesis Rabbah* texts that belonged to each of his teachers and found them both to be the same as his. The student then offered his own suggestion of how to fill in the lacuna.¹⁰

The widespread availability and authoritative status of *Genesis Rabbah* in medieval Ashkenaz during the mid-thirteenth century is to be expected, given the esteem in which this work was held in earlier centuries. A commentary on *Genesis Rabbah* (along with a briefer commentary on *Leviticus Rabbah*) was produced in Ashkenaz during the late eleventh and early twelfth centuries. The author of this *Genesis Rabbah* commentary cites, among others, Rabbi Joseph Kara (c. 1065–c. 1120) and Rabbi Meshulam ben Kalonymus of Rome (c. 1030–c. 1090). Rabbi Joseph Kara also plays a role in the commentary printed in the standard editions of *Genesis Rabbah*, which has been erroneously attributed to Rashi.¹¹ It should also be recalled that Rashi himself, at the beginning of his brief methodological statement at Genesis 3: 8 (in which he first puts forward his programme of interpreting according to *pesbuto shel mikra va'agadah bameyashevet divrei mikra*, the simple meaning of scripture, as well as aggadic materials that account for the specific details found in the biblical text), notes that there are ‘many aggadic *midrashim* that have already been

¹⁰ See MS Paris (Bibliothèque Nationale) Heb. 260 (a variant of *Moshav zekenim al hatorah*; see Y. S. Lange, ‘*Moshav zekenim* on the Torah: The Paris Manuscript’ (Heb.), *Hama’ayan*, 12 (1972), 75–95), fos. 92^{r-v} (on Gen. 44: 8):

הן כסף אשר מצאנו בפי אמתחותינו השיבנו אליך מארץ כנען ואיך נגנב מבית אדוניך כסף או זהב. פרש"י זה אחד מעשרה ק"ו שבתורה [=שבתנ"ך] והם מפורשים בבראשית רבה. א"ל תנא דבי ר' ישמעאל וכו' והנה לפי המנין שמנה בב"ר אין בהם כי אם ט' ק"ו. ואמרתי שמא חסר בב"ר שלי. וכשבאתי לצרפת ראיתי בב"ר של מורי ה"ר יחיאל וגם ב"ר של מורי ה"ר טוביה והיה כתוב כמו בשלי. ונראה לי דזה ק"ו הוא חסר בספר[ים] הנה שני המלכים לא עמדו לפניו וכו'.

Tosafot hashalem, ed. Gellis, vol. iv (Jerusalem, 1885), 186–7, cites the published edition of *Moshav zekenim*, ed. Solomon Sassoon (Jerusalem, 1959; based on MS Sassoon Library (London) 409), 87, which contains this passage without the names of R. Yehiel and R. Tuviah (*ukbesebati letsarefat ra'iti ba'aherim vebayah katuv besheli*). The passage in the published edition of *Moshav zekenim*, however, includes the name of the uncle of its narrator: *vebigadti ledodi barabi yitshak vebayah lo kashev kemo ken*. On the relationship between R. Yehiel and R. Tuviah (and perhaps the identity of their student as well), see Urbach, *The Tosafists* (Heb.), i, 486–7, and see also Simcha Emanuel, ‘R. Yehiel of Paris: His Biography and Connection to the Land of Israel’ (Heb.), *Shalem*, 8 (2009), 94–8. (The first line in Urbach, 487, is missing in some editions: בקשרים אמיצים עם ר' יחיאל מפרס עמד ר' טוביה בן אליהו מויאנה.)

¹¹ See Israel Ta-Shma, *Keneset meḥkarim*, vol. i (Tel Aviv, 2004), 96–112; Avraham Grossman, *The Early Sages of France* [Hakhmei tsarefat harishonim] (Jerusalem, 1995), 339–40; Y. Fraenkel, *Methods of Aggadah and Midrash* (Heb.), i, 512 and iii, 904. The commentaries on *Genesis Rabbah* and *Leviticus Rabbah* are found in MS Mantua (Municipal Library) 37, while related commentaries on *Mekbilta* and *Sifrei* are found in MS Mantua (Municipal Library) 36. The commentary on *Leviticus Rabbah* was published in a critical edition by M. B. Lerner, *Perush kadum levayikra rabah* (Jerusalem, 1995). Cf. Avraham Goldberg, ‘Unresolved Difficulties in the Editing and Redaction of *Genesis Rabbah* and *Leviticus Rabbah*’ (Heb.), in Y. Sussmann and D. Rosenthal (eds.), *Talmudic Research* [Meḥkereit talmud], vol. iii (Jerusalem, 2005), 130–52, and C. Milikowsky, ‘*Leviticus Rabbah* 30, Sections 1 and 2: The History of its Transmission and Publication and the Presentation of a New Edition’ (Heb.), *Sefer bar ilan*, 30–1 (2006), 269–94.

organized by the rabbis in their own framework [*ukbevar sidrum raboteinu al mekhonam*], in *Genesis Rabbah* and other midrashic collections (*uvish'e'ar midrashot*), which will not be presented by Rashi in his commentary. Leaving aside the implications of this formulation for the study of *pesbuto shel mikra*, Rashi is also indicating here that *Genesis Rabbah* is the most important and best-known or most available midrashic collection in his day.¹² His programmatic statement notwithstanding, Rashi cites *Genesis Rabbah* by name some thirty times in his Torah commentary, although, to be sure, Genesis is the only book of the Pentateuch that did not spawn a venerable *midrash halakbab* (such as *Mekhilta*, *Sifra*, and *Sifrei*, which were also consulted frequently by Rashi throughout his Torah commentary).¹³ In a comment on Genesis 47: 2, Rashi characterizes *Genesis Rabbah* as an '*agadat erets yisra'el* [aggadic work from the Land of Israel], which offers [in this instance] a different approach to [that of] our Babylonian Talmud'.¹⁴ Similarly, the standard Tosafot on the Babylonian Talmud cite *Genesis Rabbah* dozens of times, far more than any other named midrashic text or collection. Most of these citations, however, are intended to explain the text of the Talmud or to provide additional rabbinic materials related to the talmudic discussion, rather than being treated as an opportunity to analyse or to discuss the *Genesis Rabbah* passage cited for its own sake.¹⁵

¹² On the basis of manuscript evidence, Abraham Berliner, in his edition of *Rashi al batorab*, 2nd edn. (Frankfurt am Main, 1905), 7–8, places the phrase *uvish'e'ar midrashot* in parentheses, a reading which underscores Rashi's view that *Genesis Rabbah* was indeed the single most important repository of midrashic teachings.

¹³ See *Perusbei rashi al batorab*, ed. C. B. Chavel (Jerusalem, 1983), 628. On Rashi's citation and use of *midrashim* that appear to be beyond the criterion of *agadab bameyasbevet divrei mikra* (aggadic materials that account for the specific details found in the biblical text), for pedagogic or other broader purposes, see e.g. Grossman, *Early Sages of France* (Heb.), 193–201; id., *Rashi* (Heb.) (Jerusalem, 2006), 100–3; Nehama Leibowitz, *Studies in Shemot (Exodus)* [Iyunim besefer shemot] (Jerusalem, 1983), 500–2; Moshe Berger, 'The Torah Commentary of Rabbi Samuel ben Meir', Ph.D. diss., Harvard University, 1982, 343–5; Yonah Fraenkel, 'Piyyut and Interpretation: On the Place of Aggadah in Rashi's Biblical Commentary' (Heb.), in Samuel Vargon et al. (eds.), *Studies in the Bible and its Exegesis* [Iyunei mikra ufarshanut], vol. vii (Ramat Gan, 2005), 475–90; Moshe Ahrend, *Biblical Exegesis and Its Instruction* (Heb.), 53–7, 75–87.

¹⁴ On Rashi's use of *Genesis Rabbah* (even on occasions where he does not cite it explicitly), see e.g. Kamin, *Rashi's Exegetical Categorizations*, 62–71, 210–17, 233–6, and Mayer Gruber, *Rashi's Commentary on Psalms* (Philadelphia, Pa., 2007), 897. Cf. Grossman, *Rashi* (Heb.), 87–94; Leibowitz, *Iyunim besefer shemot*, 505, 518; and Hananel Mack, 'The Later Midrashim' (Heb.), *Maḥanayim*, 7 (1994), 139. See also Kamin, 142–51, regarding Rashi's similar use of *Midrash tanḥuma*. On Rashbam's lesser use of *Genesis Rabbah* in his Torah commentary, see e.g. Berger, 'The Torah Commentary of Rabbi Samuel ben Meir', 334–7; Elazar Touitou, *Exegesis in Perpetual Motion* [Hapeshatot hamitḥadshim bekholyom] (Ramat Gan, 2003), 71, 138–9, 158–9.

¹⁵ See Tarshish, *Figures and Books in the Tosafot* (Heb., 87–9, 93–7). For Tosafot passages that cite *Genesis Rabbah* mainly in the context of *parshanut hamikra* (biblical exegesis), see e.g. Tosafot on *RH 11a*, s.v. *ela*; *Naz. 23b*, s.v. *umidyanim*. As Tarshish's lists of citations indicate, the standard Tosafot on the Babylonian Talmud mention *Leviticus Rabbah* about ten times (similar to the rate of citation for *Tanḥuma*), while the other volumes of *Midrash Rabbah* (which were composed significantly later than *Genesis Rabbah*) are barely cited at all. Cf. *Exodus Rabbah* [Midrash shemot rabah, *parashiyot 1–14*], ed. Avigdor Shinan

An indicative example of tosafist methodology in the realm of aggadic Midrash can be found in connection with the *sugya* in Babylonian Talmud *Bava metsia* 86b, where the standard Tosafot compare the talmudic view, that the angels merely appeared to be eating the food that Abraham had served them (Gen. 18: 8) in order not to deviate from the common earthly practice, but were not doing so in reality, with a passage in the *Seder eliyahu* (*rabab*) that rejects this approach, and insists that the angels actually ate in this instance (against their fundamental nature or status), out of respect for Abraham.¹⁶

Tosafot on *Bava metsia* concludes simply that the *Seder eliyahu* passage is at odds with the Talmud on this issue (*upliga ade-bakba*).¹⁷ There are, however, other reverberations of this discussion within tosafist commentaries on the Torah. A Tosafot-like Torah commentary that has been associated with the study hall of Rabbenu Tam presents the talmudic approach as well as the approach of *Seder eliyahu*, and suggests that demonstrating proper respect for Abraham is an essential element of both.¹⁸ The

(Jerusalem, 1984), editor's introd., 21–2; *Deuteronomy Rabbah* [Midrash devarim rabah], ed. Saul Lieberman (Jerusalem, 1992), editor's introd., pp. xi–xiii, for the extent to which these *midrashim* were used in medieval Ashkenaz; and I. Ta-Shma, *Keneset meḥkarim*, i. 96–112. The same pattern of midrashic citation (with *Genesis Rabbah* the most frequently cited by far, followed by *Leviticus Rabbah* and *Tanḥuma*) can be found in the extensive Ashkenazi *piyut* commentary composed by R. Abraham b. Azriel of Bohemia (c. 1230). See *Arugat babosem lerabi avraham b. azri'el*, ed. E. E. Urbach, vol. iv (Jerusalem, 1963), 168–9, 266–7, and cf. *Perushei sidur batefilab laroke'ah*, ed. M. Hershler, vol. i (Jerusalem, 1992), 18–19 (introd.). It should also be noted, however, that the standard Tosafot cite a *midrash* or *midrashim*, without the particular midrashic collection or work being identified, close to ninety times. These citations require further study in order to pinpoint their origins.

¹⁶ See Tosafot on *BM* 86b, s.v. *nirin ke'oklin*. Cf. *Pesikta rabati*, ch. 25 (end), and R. Hezekiah b. Manoah's *Hizekuni* commentary on Gen. 18: 8 (end). *Seder eliyahu rabab* is also cited in Tosafot on *Ket. 106a*, s.v. *vebaynu* (together with *Seder eliyahu zuta*), and in Tosafot on *BM* 114a, s.v. *mabu*. Cf. Y. Fraenkel, *Methods of Aggadah and Midrash* (Heb.), iii. 839–41, and Mack, 'The Later Midrashim', 140.

¹⁷ See also e.g. Tosafot on *Ber. 48a*, s.v. *veleit bilkbeta*, in which a passage from *Genesis Rabbah* is cited in opposition to material found in the Babylonian Talmud ('Rabbenu Tam asserted that the halakhah is not according to this [midrashic] passage, because it disagrees with our Talmud'); Tosafot on *Shab. 104a*, s.v. *amar leb* (which notes that both *Genesis Rabbah* and the Jerusalem Talmud conflict with the passage at hand in the Babylonian Talmud); Tosafot on *Yev. 16b*, s.v. *pasuk* (in which conflicting aggadic approaches are noted); and Tosafot on *BK* 77b, s.v. *matbe'a* (in which an apparently contradictory description in *Genesis Rabbah* is reconciled with that of the Babylonian Talmud). Cf. Chaim Milikowsky, 'On the Formation and Transmission of Bereshit Rabbah and the Yerushalmi: Questions of Redaction, Text-Criticism and Literary Relationships', *Jewish Quarterly Review*, 92 (2002), 521–61. In his Torah commentary on Gen. 18: 8, Rashi follows the talmudic position that the angels merely appeared to eat, while Radak (following the approach of Maimonides in *Moreh nevukhim*, ii. 42) avoids the problem entirely by suggesting that this episode involving the angels occurred to Abraham in a prophetic dream or vision. It should be noted that the Tosafot on the *Bava metsia* passage on the angels (86b) was concerned fundamentally with talmudic interpretation, and is not necessarily taking into account or responding to Rashi's Torah commentary in this instance (even as Tosafot passages do on occasion). Cf. above, n. 9.

¹⁸ See MS Paris (Bibliothèque Nationale) Heb. 167, fo. 94^r:

נראין כאוכלין מטעם כבודו של אברהם. תנא דבי אליהו רבה קאמ' שהיו אוכלין ממש משום כבודו של אברהם.

extant textual versions of *Genesis Rabbah* follow the talmudic approach, that the angels merely appeared to eat.¹⁹ However, *Sefer bagan*, a tosafist Torah compilation (discussed more fully below) that was compiled *circa* 1240 by a northern French rabbinic figure, Rabbi Aaron ben Jose[ph] Hakohen, cites a statement of Rabbi Barukh ben Isaac²⁰ that *Genesis Rabbah* maintains (at least according to the version of this work available to Rabbi Barukh) that the angels actually did eat, in order not to deviate from the common earthly practice.²¹ Other tosafist Torah compilations simply present the

See also *Tosafot hashalem*, ed. Gellis, vol. ii (Jerusalem, 1983), 123, §19, and the parallel passage in MS Moscow National Library (Guenzburg) 362, fo. 128^r. The colophon of MS Paris 167 (Byzantium, 1443) describes this commentary (fos. 51^v–103^v) as *tosafot shel rabenu tam*, although it is also described as a *perush hatorah lerabi shelomoh bakoben ben rabi ya'akov bakoben*. Rabbenu (Jacob) Tam of Ramerupt is mentioned by name close to fifteen times in this manuscript (as are a number of his students, from both northern France and Germany). However, the tosafist editor or compiler does not refer to Rabbenu Tam as his teacher, thereby rendering as unproven the suggestion that one of Rabbenu Tam's students, either R. Jacob of Orléans (often referred to as Rabbenu Tam of Orléans), or R. Jacob of Corbeil, edited this commentary. See Urbach, *The Tosafists* (Heb.), i. 44 n. 78, and cf. Abraham Shoshana, 'Novellae on the Torah by Rabbenu Tam' (Heb.), *Yeshurun*, 14 (2004), 15–26, for a description and publication of several passages from the Moscow manuscript. Moreover, R. Judah Hehasid is mentioned in MS Moscow 362 (fos. 129^r, 178^r), as is R. Isaac of Corbeil (d. 1280), who is referred to as *r. yitsḥak ba'al habotam* (fo. 177^v).

A series of responses by R. Jacob of Corbeil to Rabbenu Tam's questions and observations about Rashi's approach to the recitation of *keriat shema* in the evening (with which Rabbenu Tam disagreed), and a formulation by R. Jacob about the protective powers that are engendered by reciting the Shema, are found in MS Paris 167, fos. 92^r–93^v (on the Torah portion 'Va'ethanan'). Only one of R. Jacob's responses is found in *Sefer or zarua*, 'Hilkhot keriat shema', §1, and R. Jacob's view on the protection provided by this recitation is otherwise cited only by others in his name. See Kanarfogel, 'Peering through the Lattices': *Mystical, Magical, and Pietistic Dimensions in the Tosafist Period* (Detroit, Mich., 2000), 197–200.

On MS Moscow 362 (Candia, 1400), fos. 125^r–181^v, whose colophon describes the work as *pesakim shel rabenu tam shebem kemo tosafot al perush rabenu shelomoh* (and whose introductory line begins, *athil hidushim shel rabenu tam al hatorah*), see also Hazoni'el Touitou, 'Minḥat yehudah: A Commentary by R. Yehudah b. Elazar' [Minḥat yehudah shel r. yehudah ben elazar], Ph.D. diss., Bar-Ilan University, 2004, 93–4. On the nature and style of this commentary, which for the most part presents tosafist talmudic and halakhic discussions according to the order of the text of the Torah (rather than as an interpretation of the biblical text from its own perspective), see also below, nn. 48, 112.

¹⁹ See *Midrash Beresbit Rabba*, ed. J. Theodor and Ch. Albeck (Jerusalem, 1962), 411.

²⁰ R. Barukh (d. 1211), ostensibly the author of *Sefer haterumab*, was a leading tosafist student of R. Isaac b. Samuel of Dampierre (Ri Hazaken, d. 1189).

²¹ See *Sefer bagan*, ed. Y. M. Orlian (Jerusalem, 2009; based on MS Vienna (National Library) 19/Heb. 28), 155: יצחק שמעתי שיש בב"ר דודאי אכלו כדי שלא לשנות מן המנהג. (*Tosafot hashalem*, ed. Gellis, ii. 122, §16, erroneously includes this passage in the name of R. Barukh b. Isaac at the beginning of a citation from MS Oxford/Bodleian Opp. 27, a Torah commentary attributed to R. Eleazar of Worms. Cf. *Perush baroke'ah al hatorah*, ed. J. Klugmann, vol. i (Jerusalem, 1979), 152–3.) On the dating of *Sefer bagan*, and the identity and background of its compiler, see *Sefer bagan*, ed. Orlian, 24–8. R. Barukh is also cited in *Sefer bagan* on Exod. 21: 29 (ed. Orlian, 246), and on Num. 12: 14 (ed. Orlian, 301). For the Exodus passage, see also *Tosafot hashalem*, ed. Gellis, vol. viii (Jerusalem, 1990), 232, §13, and MS British Library Or. 9931 (Gaster 730), fo. 59^r. After recording an interpretation (*lefi hapesbat*) to explain the fate of the owner of a *shor tam* (an ox that had no prior history of goring human beings) that has killed someone, a question is presented in the name of Rabbenu Barukh that if most oxen are not so easily watched and restrained, why did the Torah not exempt the owner from full payment in *shen veregel*

two divergent talmudic and midrashic views together,²² while some propose a resolution of the rabbinic sources under discussion by suggesting that the angels did not consume the food by eating it. Rather, they consumed the food with their fiery touch, leaving Abraham with the impression that they had actually eaten it.²³

(damage caused by the animal walking or eating, as a means of lessening the owner's liability), as it did in the case of *keren* (goring, for which the owner pays only half). R. Barukh responds to his own question by noting that the Torah did ease the owner's burden in another way, by declaring him exempt from damages of *shen veregel* that are committed in the public domain. This is clearly a halakhic mode of interpretation, which might well have emerged from R. Barukh's halakhic writings or talmudic analysis. Although the issue of the angels eating is more aggadic, this could also easily have been discussed or addressed in the course of talmudic study and interpretation (rather than in a forum dedicated specifically to biblical study). The same may be said with respect to R. Barukh's interpretation of Num. 12: 14, found also in *Perushei batorab lerabi hayim palti'el*, ed. Y. S. Lange (Jerusalem, 1983), 502, and in MS Oxford/Bodleian Opp. Add. 4^{to}, 103 (an enhanced manuscript version of the tosafist Torah commentary *Pa'ane'ah raza* (Jerusalem, 1998), compiled in the late 13th cent. by R. Isaac b. Judah Halevi), fo. 111v: ר' ברוך ב"ר יצחק לי רבי' ור' יצחק דבשני הסגרות די ב"ג ימים והכי אמר' אין בהסגרות יותר מ"ד יום דיום ז' עולה לכאן ולכאן ואמי. Cf. Lange, *ibid.*, n. 67, and Ta-Shma, *Keneset mebkharim*, i. 236–7, 240. (This interpretation by R. Barukh follows an interpretation in the name of Rabbenu Tam on the implied *kal vahomer* (*a fortiori* argument) associated with the leprosy contracted by Miriam, and a question about the fourteen-day waiting period for Miriam by the *pesbat* exegete R. Joseph Bekhor Shor of Orléans, who was also a tosafist student of Rabbenu Tam. Rashi had cited this *kal vahomer* from the *Sifrei*, and R. Aaron Hakohen, the compiler of *Sefer bagan*, offered his own suggestion here as well.) As Lange further notes, the 14th-cent. tosafist Torah compilation, *Moshav zekenim al batorab* (cf. below, n. 30), presents an interpretation quite similar to that of R. Barukh, in the name of R. Barukh's contemporary and fellow tosafist student of Ri, R. Isaac b. Abraham (Rizba). See Urbach, *The Tosafists* (Heb.), i. 354, for a listing of R. Barukh's Tosafot on many tractates of the Talmud (in addition to his *Sefer baturumab*), and cf. Simcha Emanuel, 'On the Biography of R. Barukh ben Isaac' (Heb.), *Tarbiz*, 69 (2000), 423–40, on R. Barukh's entirely northern French provenance. On R. Barukh's comments on the Torah, cf. Leopold Zunz, *Zur Geschichte und Literatur* (Berlin, 1845), 88, 97, and *Tosafot hashalem*, ed. Gellis, vol. i (Jerusalem, 1982), 101, §7, and 146, §8.

²² See e.g. MS Oxford/Bodleian Opp. Add. 4^{to}, 103, fo. 23v. According to this text (and similar to the approach of R. Barukh b. Isaac in the n. 21 above), actual eating was also done by the angels in this instance so as not to deviate from the prevalent earthly custom.

²³ See MS Vatican Ebr. 45 (attributed inaccurately to R. Joseph Bekhor Shor), cited in *Tosafot hashalem*, ed. Gellis, ii. 122, §17. See also MS Vatican Ebr. 123 (a German Torah commentary, composed perhaps by R. Eleazar of Worms; see Amos Geulah, 'An Introduction to and Citations of *Midrash Avkir*' [Midrash avkir: mevo'ot umuva'ot], MA thesis, Hebrew University of Jerusalem, 1998, 114–15), fo. 41r: *nirin ke'okhlin veba'esh maviro* (they appeared to be eating, but the food was being consumed by fire). Indeed, the *Da'at zekenim* commentary (on Genesis, fo. 15b, cited also in *Tosafot hashalem*, ed. Gellis, ii. 123, §18), which will be one of the main foci of our analysis below, goes so far as to suggest that the word *vayokhbelu* (ויאכלו) in Gen. 18: 8 does not mean 'and they ate'. Rather, it means 'and they consumed the food through fire', as per Exod. 3: 2, *vabaseneh einenu ukal* (אורכל), where the root אכל is clearly used by the Torah to mean that the bush did not burn (*einenu nisraf*). Cf. M. M. Kasher, *Torab sbelemab*, vol. iii (Jerusalem, 1938), 754–5. R. Joseph Bekhor Shor's influence on subsequent tosafist Torah commentaries was quite significant; see e.g. Sara Japhet, 'Hizekuni's Commentary on the Pentateuch—Its Genre and Purpose' (Heb.), in Moshe Bar-Asher (ed.), *Rabbi Mordekhai Breuer Festschrift* [Sefer yovel likhvod harav mordekhai breuer], vol. i (Jerusalem, 1992), 97–8. This fact helps to explain the misattribution of the commentary in MS Vatican 45 to Bekhor Shor, among other such Torah commentaries found in manuscripts that include MS Hamburg (National and University Library) Hebr. 45, and MS Leiden University Library

In this instance, it is quite possible (and perhaps even likely, as I have indicated in some detail in the notes on the above discussion) that the various tosafist approaches and interpretations were developed initially during the course of talmudic study, and were only later gathered or placed in the context of a series of biblical comments on the verses in question. Nonetheless, the Tosafists' awareness of and affinity for midrashic literature, as a distinct area of interest, is also evident from these interpretations. Indeed, the commitment of medieval Ashkenazi rabbinic scholarship to midrashic literature as a distinct genre (which, at the same time, constituted a significant repository of rabbinic teachings and scriptural exegesis) is expressed quite clearly by the Ashkenazi commentaries authored from the eleventh to the thirteenth centuries on various halakhic and aggadic *midrashim*, several of which have only recently come to light.²⁴

II

Whether in the realm of *pesbuto shel mikra* or in the realm of midrashic interpretation, the comments and approaches of specific Tosafists have gone largely unnoticed, due mainly to the fact that these comments on the Torah are strewn throughout a variety of printed works and manuscript texts, and have not been systematically identified or analysed. Thus, for example, the exegetical work of the Tosafists Rabbi Yom Tov of Joigny, Rabbi Jacob of Orléans, and Rabbi Moses of Coucy (mentioned above) appears to be somewhat similar to two collections of comments produced during the same period (from the late twelfth to the middle of the thirteenth centuries), most of which have been published: Rabbi Judah Hehasid's exoteric commentary on the Torah, which he transmitted towards the end of his life (through the form of *reportatio*) to his son, Rabbi Moses Zal(t)man,²⁵ and the *Nimukei ĥumash* of Rabbi

(Warner) 27. See H. J. Zimmels, 'MS Hamburg Cod. Hebr. 45 and its Attribution to R. Avigdor Katz' (Heb.), in Anon., *Articles in Memory of Rabbi Tsevi Peretz Chajes* [Ma'amarim lezikhron r. tsevi perets ĥayes] (Vienna, 1931), 248–61, and Yehoshafat Nevo, 'MS Leiden 27 and its Attribution to R. Yosef Bekhor Shor' (Heb.), *Tarbiz*, 52 (1983), 651–64. On Ashkenazi attitudes towards the resolution of divergent talmudic and midrashic passages in halakhic contexts, cf. e.g. *Sefer ĥasidim* (Parma), ed. J. Wistnietki (Frankfurt am Main, 1924), 403, §1667, and A. Geulah, 'Aggadic Midrashim Known Only in Ashkenazic Lands' [Midreshei agadah avudim hayedu'im me'ashkenaz bilvad], Ph.D. diss., Hebrew University of Jerusalem, 2007, 9.

²⁴ See e.g. Ya'akov Sussmann, 'Rabad on Shekalim? A Bibliographical and Historical Riddle' (Heb.), in Ezra Fleischer et al. (eds.), *Me'ah She'arim: Studies in Medieval Jewish Spiritual Life in Memory of Isadore Twersky* [Me'ah she'arim: iyunim be'olamam haruĥani shel yisra'el biyemei habeinayim lezekher yitšak tverski] (Jerusalem, 2001), 131–70 (esp. 168–9); Ta-Shma, *Keneset meĥkarim*, i. 96–112; and R. Eleazar b. Judah of Worms' commentary on *Lamentations Rabbah*, published (from MS Oxford/Bodleian Heb. E. 80 in the final section of *Sifrei ĥarabi ele'azar migermaiza*, ed. A. Eisenbach (Jerusalem, 2006), 1–206.

²⁵ *Perushei ĥatorah lerabi yebudab beĥasid*, ed. Y. S. Lange (Jerusalem, 1975), and see the editor's introd., 7–12. To be sure, quite a number of the comments in this edition cannot be verified as those of R. Judah, since the key manuscripts on which this edition was based (MS Moscow National Library (Guenzberg)

Isaiah di Trani (known as Rid, c. 1180–c. 1250), an Italian rabbinic scholar who studied with the German Tosafist Rabbi Simhah of Speyer (c. 1200). Rabbi Isaiah's commentary on the Torah deals extensively with Rashi's commentary (Rashi is typically referred to as *hamoreb*, 'the teacher'), and includes citations from a number of German and northern French rabbinic figures and exegetes.²⁶

Fortunately, however, it turns out that the comments of these tosfist exegetes, and those of Rabbi Judah Hehasid as well, together with the commentaries of Rashi and Bekhor Shor (which are, not surprisingly, the most frequently cited commentaries overall),²⁷ form a substantial core of the so-called tosfist commentaries on the Torah (*perushei ba'alei batosafot al batorab*), a number of which have been published.²⁸ The earliest of these compilatory commentaries, the partially published *Sefer hagan*,

82 and MS Cambridge University Library Add. 669.2) contain comments in which the names of R. Judah and R. Moses appear, as well as those that do not mention their names. The comments of R. Judah discussed in this study appear either in his name in these manuscripts, or are cited in his name by other roughly contemporary Ashkenazi figures and collections. Cf. below, n. 83. I discuss this issue in much greater detail in *The Intellectual History of Medieval Ashkenazic Jewry*.

²⁶ *Nimukei ĥumash lerabi yeshayah ditrani*, ed. C. B. Chavel (Jerusalem, 1972), and see also I. Ta-Shma, 'Sefer nimukei ĥumash lerabi yeshayah di trani', *Kiryat sefer*, 64 (1992/93), 751–3. R. Isaiah subsequently composed the so-called *Tosafot rid* (in which Rashi is also cited as *hamoreb*), which contain talmudic interpretations and analyses from Rabbenu Tam. These were received by R. Isaiah from Rabbenu Tam's German students such as R. Isaac b. Mordekhai (Ribam) of Bohemia and R. Ephraim of Regensburg. See e.g. Ta-Shma, *Keneset meĥkarim*, vol. iii (Tel Aviv, 2005), 9–19, 24–62, and cf. Kanarfogel, 'Mysticism and Asceticism in Italian Rabbinic Literature of the Thirteenth Century', *Kabbalah*, 6 (2001), 135–49. There is discussion about whether the commentaries attributed to R. Isaiah di Trani on the Prophets and the Writings were authored by this R. Isaiah (b. Mali), or by his grandson, R. Isaiah b. Elijah (Riaz; R. Isaiah the Younger), although the scholarly consensus now supports the former possibility. See e.g. *Teshuvot harid*, ed. A. Y. Wertheimer (Jerusalem, 1975), editor's introd., 49–53; S. Z. Leiman, 'Late Medieval Exegetes in Spain, Provence and Italy', in *Encyclopaedia Biblica* (Heb.), vol. viii (Jerusalem, 1982), 708; E. Z. Melammed, *Studies in Scripture, its Aramaic Targumim, and Commentaries* [Meĥkarim bamikra, betargumav uvimefareshav] (Jerusalem, 1984), 420–2.

²⁷ See Poznanski, *Introduction to Northern French Biblical Commentators* (Heb.), pp. lxxiii, cxiv; *Sefer hagan*, ed. Orlian, 36–7, 42–8; Japhet, 'Ĥizekuni's Commentary' (Heb.), 93–7; H. Touitou, 'Minbat yebudab', 103–13; and Yehoshafat Nevo, 'The Exegetical Methods of *Hadar zekenim* on the Torah' (Heb.), *Sinai*, 101 (1988), 25–6. From among the northern French *pashtanim* (and as opposed to Rashi and Bekhor Shor), Rashbam is cited by the compilatory tosfist Torah commentaries (leaving aside the more *pesbat*-oriented *Ĥizekuni* commentary) only from time to time, and R. Joseph Kara is generally cited even less frequently. Cf. *Sefer hagan*, ed. Orlian, 37–8, and Nevo, 23. At the same time, there are any number of instances in which an earlier exegetical approach is cited, but no names are attached. Indeed, tosfist compilations sometimes mix different types of *pesbat* approaches together, with little indication of the original authors whose comments are involved. See e.g. *Tosafot hasbalem*, ed. Gellis, vol. x (Jerusalem, 1995), 93–6 (on Exod. 33: 4–6).

²⁸ See e.g. Poznanski, *Introduction to Northern French Biblical Commentators* (Heb.), pp. xcii–cxiv (who also describes a number of important manuscript collections); *Tosafot hasbalem*, ed. Gellis, editor's introd., i. 11–20; and the more extensive descriptions in *Sefer hagan*, ed. Orlian, 83–97. (As far as I can tell, the various published collections described by Orlian are arranged according to alphabetical rather than chronological order.) *Tosafot hasbalem*, ed. Gellis, i. 21–38, contains brief descriptions of the large selection of manuscript collections that were consulted in producing this work. See also Deborah Abecassis,

dates from around 1240, while most were compiled in the late thirteenth and early fourteenth centuries. As opposed to his northern French contemporary, Rabbi Hezekiah ben Manoah, who merely hints poetically in the introduction to his *Hizekuni* commentary at the roster of medieval exegetes whose interpretations are included anonymously, Rabbi Isaac ben Judah writes explicitly in the introduction to his late-thirteenth-century compilation, *Pa'ane'ah Raza*, that he will present the interpretations of several northern French exegetes. On his list are Rabbi Jacob of Orléans, Rabbi Joseph Bekhor Shor of Orléans, and *Sefer bagan*, which was 'composed by the rabbi of France, *harav mitsarefat*', in addition to 'some *pesbat* interpretations and *gematriyot* [numerological interpretations] of Rabbi Judah Hehasid'.²⁹ These are indeed the most frequently mentioned names (and comments) within *Pa'ane'ah Raza*. Although the published edition of *Pa'ane'ah Raza* cites interpretations from Rabbi Yom Tov of Joigny on a few occasions, manuscript versions of this work preserve quite a number of additional comments from him as well.³⁰ To be sure, the tosafist Torah compilations also preserve scattered (but in some ways more expected) talmudic and midrashic interpretations from leading Tosafists, such as the passage(s) from Rabbi Barukh ben Isaac in *Sefer bagan* that have also been noted above. Indeed, these tosafist Torah compilations tend to introduce additional midrashic texts and materials, as we shall see.

A good example of the interface, or transition, from the comments of the tosafist exegetes of the mid-twelfth and early thirteenth centuries (and their presence in the

'Reconstructing Rashi's Commentary on Genesis from Citations in the Torah Commentaries of the Tosafists', Ph.D. diss., Concordia University, 1999, 42–8, 247–51.

²⁹ The introductory passage is found in slightly defective form at the beginning of the published edition of *Pa'ane'ah Raza* (above, n. 21), and in full at the end of MS Oxford/Bodleian Opp. Add. 4^{no}, 103, fo. 144^r (from which I have rendered this description). After mentioning the comments of R. Judah Hehasid, both versions also refer to comments by R. Eliezer or R. Eleazar of Worms (characterized in the published version as *peratim*, 'details') as well. R. Isaac b. Judah Halevi also indicates in this introduction that he called his compilation *Pa'ane'ah Raza* because the numerological value (*gematriyah*) of each of these words is equivalent to that of his name, *yitshak*. This title as a whole ('explainer of the secret'; cf. Gen. 41: 45, and Rashi ad loc.) also reflects the amalgam of *peshatim* (and other exoteric interpretations), together with the more esoteric concepts and *gematriyot* that are found throughout this work. Cf. Tà-Shma, *Kenestet meḥkarim*, i. 236, who attempts to identify the figure ק"ח , whose *bidushim* are also noted in this introduction; Kanarfogel, *Peering through the Lattices*, 248–9; and Joy Rochwarger, 'Sefer Pa'aneah Raza and Biblical Exegesis in Medieval Ashkenaz', MA thesis, Touro College, Jerusalem, 2000, 43–51, 109–17. On *Hizekuni's* poetic introduction to and use of his sources, see Japhet, 'Hizekuni's Commentary', 91–110.

³⁰ R. Yom Tov is often cited in these texts by the acronym ר"ת"ט . See esp. MS British Library Or. 9931; MS Munich (Bavarian National Library) 50, and Urbach, *The Tosafists* (Heb.), 146 n. 13. The *Moshav zekenim* collection also cites virtually all of these tosafist figures with some frequency, in addition to R. Isaiah di Trani (who is cited for the most part by name, but is sometimes cited only by the initials *resh-yod*). Cf. Yehoshafat Nevo, 'The Exegetical Methods of *Moshav zekenim* on the Torah' (Heb.), *Simai*, 100 (1987), 587–93; id., 'The Tosafist Torah Commentary *Moshav zekenim*' (Heb.), *Sba'aman*, 1 (1995), 11–33.

compilatory works of the thirteenth century), followed by the further midrashic expansions found in these compilatory works, can be seen in connection with the story of the sale of Joseph towards the end of Genesis 37. At issue here for many medieval exegetes were the nationalities and the number of the groups that appeared to be involved in the acquisition of Joseph from his brothers and his transferral to Egypt. Reference is made by the biblical text, at various points, to *yishma'elim*, *midyanim*, and *medanim*. In addition, the sequence of the transactions is somewhat confusing. In Genesis 37: 27, for example, the brothers speak of selling Joseph to the *yishma'elim*, but in the following verse, the Torah writes that merchants from among the *midyanim* took Joseph out of the pit and sold him to the *yishma'elim*, who brought Joseph down to Egypt. At the same time, Genesis 37: 36 states that the *medanim* were the ones who sold Joseph to Egypt. Rashbam (on Gen. 37: 28), following his stated exegetical goal of presenting *omek pesbuto shel mikra*, suggests that while the brothers were waiting for the *yishma'elim* to arrive, a group of *midyanim* happened upon Joseph in the pit and took him out (unbeknown to the brothers), and then sold him themselves to the *yishma'elim*, who in turn sold him to Egypt. Although the brothers thus did not actually sell Joseph into slavery in Egypt, their course of action certainly led to this consequence. Alternatively—and according to Genesis 45: 4, where Joseph specifically attributes his being sold to Egypt to his brothers—Rashbam suggests that the brothers first instructed those *midyanim* who came along to remove Joseph from the pit and then sold him to the *yishma'elim*. Rashbam (on Gen. 37: 36) further notes that the *medanim* and *midyanim* were kin, while the *medanim* (who sold him to Egypt) and the *yishma'elim* (who brought him to Egypt), according to the *pesbat*, are identical. Thus, the removal of Joseph from the pit, and his sale and transfer to Egypt, were essentially accomplished through two groups of related merchants.³¹

Rabbi Joseph Bekhor Shor (on Gen. 37: 28) summarizes Rashbam's approach (in the name of 'there are those who interpret', *yesh mefarshim*), but he rejects it as a 'self-invention' (*bada'ut*) that is 'not worthwhile' (*vekhbol zeh eineno shaveh li*).³² Rather, as he had already explained (on Gen. 37: 25), Bekhor Shor holds that the three groups mentioned by the Torah represent three brothers, all of whom were sons of Hagar and Keturah, Abraham's concubines, who were therefore considered to be one nation. Thus, there was only one conglomerate of merchants involved here, that contained representatives from each of these larger families. The Torah

³¹ See *Rabbi Samuel ben Meir's Commentary on Genesis: An Annotated Translation*, ed. Martin Lockshin (Lewiston, NY, 1989), 257–8, 260. As Lockshin notes (260 n. 3), Rashi also appears to think that there were only two groups, but he labels them differently. Rashbam is also directing his comment against Rashi's view that it was the brothers themselves who removed Joseph from the pit, a point made, without attribution, by the later *Hizekuni* as well (Lockshin, 258 n. 2).

³² *Perushei r. yosef bekhor shor al hatorah*, ed. Yehoshafat Nevo, 68–9. Cf. *Rabbi Samuel ben Meir's Commentary on Genesis*, ed. Lockshin, 257 n. 3; MS Florence/Laurenziana Plut. II, 20, fo. 160^v: 'ופי רשב"א כי מדין ומדין וישמעאל אומה אחת היא 137.

is referring only to this one larger nation or group, alternately using the three individual names of its constituents.³³

Rabbi Judah Hehasid, in his Torah commentary (on Gen. 37: 28), arrives at a similar approach to that of Rashbam, from a different direction. Rabbi Judah was troubled by Joseph's seemingly untrue statement to Pharaoh's butler (Gen. 40: 15) that he had reached Egypt 'because I had been kidnapped from the land of the Hebrews'. Rabbi Judah therefore suggests an interpretation 'according to the *peshat*, to explain what had occurred'. While eating their meal, the brothers saw a caravan of *yishma'elim* and decided to sell Joseph to them. They made Joseph swear that he would neither tell nor write to their father without their permission about this arrangement, and they enacted a *herem* (ban) among themselves that they would not tell. While they were involved with the *yishma'elim* in writing up the document of sale, a group of *medanim* passed by and looked into the pit where Joseph was, in search of water. They saw Joseph in the pit and removed him. The *medanim* were fearful that they would be pursued (by whomever had put Joseph into the pit in the first place), so they quickly sold him to the *yishma'elim* for twenty pieces of silver, a relatively small sum. Leaving aside the embellishments with regard to Joseph being made to swear not to tell his father and the *herem* enacted between the brothers (which are midrashic approaches representing an aspect of this story that Rabbi Judah discusses in his *Sefer hasidim*),³⁴ Rabbi Judah's *peshat* here essentially comports with the exegetical approach taken by Rashbam. Indeed, Rabbi Moses Zal(t)man asked his father how he then understands Genesis 45: 4, where Joseph identifies himself as the one whom the brothers sold to Egypt. Like Rashbam, Rabbi Judah answers that their throwing Joseph into the pit initially is what caused him to be sold to Egypt, making them responsible, in effect, for his sale.³⁵

Sefer hagan seeks to reconcile Genesis 37: 36, which states that the *medanim* sold Joseph to Egypt, with a later verse (39: 1), according to which Potiphar acquired Joseph from the *yishma'elim*, who had brought him down to Egypt. The first answer presented, characterized as *lefi hapesbat*, is that the *yishma'elim* had sold him to the *medanim*, who brought him down to Egypt for sale. *Sefer hagan* then presents an

³³ Bekhor Shor's comment on Gen. 37: 25 is found in his name in *Moshav zekenim* (ed. Sassoon, 72), along with some other unnamed alternatives. This is also the interpretation of Ibn Ezra and Radak on Gen. 37: 28, although it is unclear whether Bekhor Shor had Ibn Ezra's Torah commentary before him. See e.g. *Perushei r. yosef bekkhor shor al batorab*, ed. Y. Nevo, editor's introd., 10; *ibid.*, Bekhor Shor's commentary, 10 (on Gen. 2: 24), and Nevo's note; and cf. *Tosafot hashalem*, ed. Gellis, i. 115, §§9, 11; i. 277–8, §3.

³⁴ Cf. *Sefer hasidim*, ed. J. Wistinetski, §1961, and the references to *Tanḥuma* and *Pirkei derabi eli'ezer* in *Perushei batorab lerabi yehudah behasid*, ed. Lange, 51 nn. 39, 40. This passage is cited in the name of R. Judah Hehasid in *Moshav zekenim* (ed. Sassoon, 72) in two parts, just before and just after R. Joseph Bekhor Shor's interpretation. See also *Tosafot hashalem*, ed. Gellis, iv. 45–6, §9.

³⁵ *Perushei batorab lerabi yehudah behasid*, ed. Lange, 51. R. Judah adduces support for this kind of causality from the way that the Torah (in Num. 32: 5) assigns responsibility to Moses for the crossing of the Jordan river by the children of Israel.

unidentified *midrash* that appears to be a passage from *Genesis Rabbah* found (in extant versions of this work) at the later verse about Potiphar.³⁶ This *midrash* posits a kind of racial problem that the Egyptians had with the dark-skinned *yishma'elim* selling the fair-skinned Joseph to them as a slave. Although Joseph was technically in the possession of the *yishma'elim*, the Egyptians required the *medanim* to act as guarantors on behalf of the *yishma'elim* for this sale, in order to resolve this difficulty. Consequently, the Torah can credibly assign this sale to both groups. Rabbi Aaron Hakohen, the compiler of *Sefer bagan*, offers this interpretation as one that he heard from his brother Rabbi Jacob, who had himself heard it in the name of Rabbi Moses ben Shene'ur (d. c. 1250).³⁷ Rabbi Moses, who, together with his brothers Rabbi Samuel and Rabbi Isaac, headed the active tosafist study hall in Evreux (Normandy), was inclined (as was his brother Rabbi Isaac, as we shall see)³⁸ to put forward midrashic interpretations of the Torah (and to expand or otherwise manipulate passages in *Genesis Rabbah*), even as this particular passage from *Genesis Rabbah* might be fairly characterized as an *agadah hameyashevet divrei mikra*. From this point on, however, the focused interpretation of *Sefer bagan* (and of Rabbi Moses of Evreux) is cited in only a few tosafist Torah compilations.³⁹ Most other tosafist Torah commentaries take this passage in *Genesis Rabbah* and link it to a different passage in the same work and to additional *midrashim*, creating a much larger midrashic picture and discussion.⁴⁰ This was done,

³⁶ The later *perush* (or Tosafot) compilation of R. Asher (Rosh) (see below, n. 70) on Gen. 37: 28 (fo. 16b, 'and they sold Joseph to the *yishma'elim* for twenty pieces of silver') cites and identifies this *midrash* as *Genesis Rabbah*. Cf. M. M. Kasher, *Torah shelemah*, vol. vi (Jerusalem, 1938), 1441. *Gen. Rabbah* 86: 3 on Gen. 39: 1 (Theodor-Albeck edn., 1055) describes how the Egyptian officer Potiphar, who acquired Joseph from the *yishma'elim*, makes a very similar point from a different perspective. Upon seeing the fair-skinned Joseph being offered for sale by the dark-skinned *yishma'elim*, Potiphar sensed that Joseph was not really a slave, and he cleverly requested a guarantor for the sale in the event that Joseph had been stolen or kidnapped, and was not rightfully in the possession of the *yishma'elim*.

³⁷ See *Sefer bagan*, ed. Orlian, 187 (on Gen. 37: 36):

ומה שכתוב והמדנים מכרו אותו [אל מצרים] לפוטפיר ובמקום אחר כתוב מיד
הישמעלאים אשר הורידוהו שמה [בראשית, לט: א] לפי הפשט הא דכתב והמדנים מכרו
אותו למצרים היינו לישמעאלים להוריד למצרים. ויש במדרש כי הישמעאלים היו
מוחזקים ממנו והורידו למצרים למכרו. אמרו המצרים גרמוני מוכר כותי ואין כותי
מוכר גרמוני, כל' דרך הלבן למכור שחור כי הלבן הוא הבן חורין והשחור הוא העבד.
אתמה אין כאן עבד תנו ערב והמדנים ערבו הדבר לכן הוא אומר והמדנים מכרו אותו.
כך שמעתי מאחי ה"ר יעקב ששמע משם הר"ר משה ב"ר שניאור ז"ל.

See *ibid.* 179, 234, 299, for other citations of R. Moses b. Shene'ur.

³⁸ See below, section VIII. On the academy and methodology at Evreux, see Urbach, *The Tosafists* (Heb.), i, 479–85; I. Ta-Shma, *Keneset mehkarim*, vol. ii (Tel Aviv, 2004), 110–18; Kanarfogel, *Jewish Education and Society*, 74–9, 172–80; *id.*, *Peering through the Lattices*, 59–68; and S. Emanuel, *Shivrei Lubot* (Jerusalem, 2006), 93–7.

³⁹ *Perushei hatorah lerabi hayim palti'el*, ed. Lange, 124 (on Gen. 39: 1) cites R. Moses b. Shene'ur by name (based on MS Munich (Bavarian National Library) 62; cf. *Tosafot hasbaleim*, ed. Gellis, iv, 57, §2. *Pa'ane'ah raza*, 168, cites this interpretation in the name of *bar' ya'akov gan*, and see also MS Florence/Laurenziana Plut. II, 20, above, n. 32.

⁴⁰ See e.g. *Moshav zekenim*, ed. Sassoon, 71–2 (on Gen. 37: 25); *Tosafot hasbaleim*, ed. Gellis, iv, 44–6, §§6–7, 10 (on Gen. 37: 28, citing *Minhat yebudab*, *Perush barosh*, *Hadar zekenim* and *Da'at zekenim*, and several manuscripts), and see also *Perushei hatorah lerabi hayim palti'el*, ed. Lange, 117–18 (on Gen. 37: 27).

in part, to explain Rashi's overall approach to this series of events,⁴¹ but new, broader directions and midrashic solutions were also suggested, which had little to do with Rashi's commentary.

The compilers or editors of these thirteenth- and fourteenth-century collections were, for the most part, unknown rabbinic figures; they were not typically recognized as Tosafists themselves. In all likelihood, these works took on the name or genre of tosafist Torah commentaries because of the large number of genuine tosafist teachings or comments that formed their core, albeit in an unsystematic way.⁴² One of the few exceptions, in terms of its editor's status, is the commentary compiled by Rabbi Hayim ben Jacob Paltiel, a student and colleague of Rabbi Meir of Rothenburg (d. 1293) and Rabbi Eliezer of Tuxh, who was himself a leading redactor or compiler of Tosafot texts on the Talmud.⁴³

A similar comment on this matter from MS Oxford/Bodleian Opp. Add. 4^{to}, 127 (on Gen. 37: 36) is reproduced in *Tosafot basbalem*, iv. 57, §3. This brief commentary on the Torah portions 'Bereshit' to 'Beshalah' (entitled *peshatim latorab*, and found on fos. 1–16), was composed by an otherwise unknown R. Isaac b. Hayim, a student of R. Moses of Coucy and R. Yehiel of Paris (contemporaries of the brothers of Evreux), as indicated in three comments on fos. 16^{r-v}. There are indeed a number of *pesbat*-like comments recorded, including three in the name of Rashbam (fos. 5^r, 7^{r-v}, 11^v). On fo. 3^r, an explanation for Rashi's exegetical *kal vahomer* regarding the punishment of the snake (Gen. 3: 14) is presented in the name of R. Moses of Evreux:

ארור אתה מכל הבהמה ומכל חית השדה. [פרש"י] אם מבהמה נתקלל מחיה לא כל שכן. יש לשאול מהו לא כל שכן. ושמעתי בשם הרב ר' משה דאיברא אם מבהמה שאינה חפשיית מן האדם שהיא ברשות ידו לכל עבודת פרך ואם ממנה נתקלל, מחיה שהיא חפשיית מן האדם לא כל שכן?

See also *Tosafot basbalem*, ed. Gellis, i. 134, §9. On this commentary, cf. Poznanski, *Introduction to Northern French Biblical Commentators* (Heb.), p. xciv; *Tosafot basbalem*, ed. Gellis, editor's introd., i. 21.

⁴¹ Several compilations work to resolve the passage in *Genesis Rabbah* (84: 11) cited by Rashi (on Gen. 37: 3) as an aggadic *midrash* (that Joseph was sold four times), with Rashi's comment on 37: 28 (following *Tanḥuma*), that Joseph was sold three times. Among the named interpretations of Rashi cited by *Tosafot barosh* and *Minḥat yebudab* are those attributed to Rashbam (above, n. 31) and Rabbenu Tam, while R. Judah b. Eliezer in *Minḥat yebudab* adds another from his own immediate teacher, R. Elyakim. On R. Elyakim and his method, see H. Touitou, '*Minḥat yebudab*', 85–92. On the role of the tosafist Torah compilations as supercommentaries on Rashi, see Japhet, 'Hizekuni's Commentary' (Heb.), 108, and Touitou, '*Minḥat yebudab*', 3–9.

⁴² Touitou (ibid. 34–65) has suggested that these works of the late 13th and early 14th cents. were designated as *perushei ba'alei batosafot al hatorab* because the criteria for being considered as a *ba'al batosafot* on the Torah (in terms of textual methods and goals, as well as literary orientation) were somewhat different and distinct from those criteria that were used to identify talmudic Tosafists. I am not persuaded by Touitou's arguments in this regard, but, as I shall indicate throughout this study, I fully agree with his suggestion that the so-called *perushei ba'alei batosafot al hatorab* collections were composed and disseminated, for the most part, by members of the second-level intelligentsia or secondary elite, who wished to expose their generally less learned readers to a broader and more easily digested sampling of the teachings of the Tosafists as a whole (and to their own biblical, midrashic, and halakhic interpretations), as arrayed around the portions of the Torah. See also Kanarfogel, 'Between the Tosafist Academies and Other Study Halls in Ashkenaz during the Middle Ages' (Heb.), in I. Etkes (ed.), *Yeshivot and Batei Midrash* [Yeshivot uvatei midrashot] (Jerusalem, 2006), 85–108.

⁴³ On R. Hayim Paltiel's commentary and his rabbinic career (he also composed a collection of *minḥagim* that became prominent in central and eastern Europe), see *Perushei batorab lerabi hayim palti'el*, ed. Y. S. Lange (Jerusalem, 1981), editor's introd., 7–12; id., 'On the Identity of R. Hayim Paltiel' (Heb.),

Taken together, however, these tosafist Torah commentaries constitute a vast body of literature that remains to a large extent in manuscript, and which requires much scholarly attention and careful study.⁴⁴ Many (although certainly not all) of these manuscripts were available to Leopold Zunz, who identified and discussed their contents along with those of the commentaries that had been published by his day.⁴⁵ The present study traces the contributions made by scholars over the past century to the illumination of this genre, beginning with the groundbreaking work of Poznanski, as part of his larger introduction to biblical exegesis in northern France during the high Middle Ages.⁴⁶ It is clear that there has been some renewed interest in this genre within the last twenty-five years or so.

The so-called tosafist Torah commentaries in their most common form do not purport to be ‘full-fledged’ commentaries that seek to offer a range of different exegetical possibilities on a verse-by-verse basis. Rather, they are comprised of relatively brief *hidushim* (new insights) that add new approaches or new material, mostly in the realm of Midrash but also in the realm of *peshat*, to verses for which either of these dimensions was perceived to be needed or novel, while always remaining mindful of and interested in the sources and analysis of Rashi’s commentary on the Torah as well. At the same time (and as opposed to the commentaries of Rashi and Rashbam), the tosafist Torah compilations rarely if ever offer any methodological statements or guidelines.⁴⁷

Alei sefer, 8 (1980), 140–6; Urbach, *The Tosafists* (Heb.), ii, 582; Ta-Shma, *Keneset meḥkarim*, i, 259; Eric Zimmer, *Olam keminhago nobeg* (Jerusalem, 1996), 276–7, 282–3; 292, 296–7; and Emanuel, *Shivrei luḥot*, 221–7.

⁴⁴ See e.g. Y. S. Lange, ‘The Tosafist Torah Commentary in MS Paris 48’ (Heb.), *Alei sefer*, 5 (1978), 74; Japhet, ‘Ḥizekuni’s Commentary’ (Heb.), 107; ead., ‘The Nature and Distribution of Compilatory Commentaries’ (Heb.), in M. Bar-Asher et al. (eds.), *Biblical and Commentary Studies* [Iyunei mikra ufarshanut], vol. iii (Ramat Gan, 1993), 215; I. Ta-Shma, *The Literature of Talmudic Commentaries* [Hasifrut haparshanut latalmud], vol. ii (Jerusalem, 2000), 96; id., ‘The Tosafist Academies in the Academic Milieu of France during the Twelfth and Thirteenth Centuries: Parallels that Do Not Meet’ (Heb.), in I. Etkes (ed.), *Yeshivot and Batei Midrash* (Heb.), 83 n. 10; and H. Touitou, ‘*Minḥat yebudab*’, 62 n. 74; Abba Zions, ‘*Pa’ane’ah raza* and its Author’ (Heb.), *Or hamizrah*, 25 (1976), 71–80, and id., ‘On the Author of *Pa’ane’ah raza*’ (Heb.), *Or hamizrah*, 29 (1981), 210–14, sees R. Isaac b. Judah, the compiler of *Pa’ane’ah raza*, as a Tosafist of standing. Zions’s evidence, however, is problematic. At most, R. Isaac was a descendant or relative of certain Tosafists. Cf. Yehoshafat Nevo, ‘The *Pa’ane’ah raza* Commentary on the Pentateuch’ (Heb.), *Sinai*, 98 (1986), 177–84.

⁴⁵ See Zunz, *Zur Geschichte und Literatur*, 76–95.

⁴⁶ See above, n. 28.

⁴⁷ See Japhet, ‘Ḥizekuni’s Commentary’ (Heb.), 99–101, 107–10. Cf. Y. Nevo, ‘Exegetical Methods of *Hadar zekenim* on the Torah’ (Heb.), 26–9; *Perush rashbam lekobelet*, ed. S. Japhet and R. Salters (Jerusalem, 1985), editors’ introd., 34–5 (on the distinction between an *osef be’urim*, a collection of comments, and a *hibur parsbani*, a cohesive exegetical work); and below, n. 149. As Japhet demonstrates, R. Hezekiah b. Manoah’s *Ḥizekuni*, the subject of her study, is somewhat different in regard to these and other related compositional characteristics. At the same time, there is at least one 13th-cent. example (which perhaps took its cue from the Torah commentary that has been attributed to the study hall of Rabbenu Tam; see above, n. 18) of a collection that consists, in large measure, of talmudic Tosafot that have been placed according to the order of the verses of the Torah, rather than in accordance with the talmudic texts that anchor them. This collection (which is extant only on the weekly Torah portions

I shall now turn my attention to two of these tosafist Torah compilations, *Da'at zekenim* and *Hadar zekenim*, which were compiled anonymously in the second half of the thirteenth century in northern France.⁴⁸ Our discussion will be limited, however, to selections from the steady stream of *midrashim* and their analysis that are found on the books of Genesis and Exodus. A sampling of these passages will allow a working assessment of the presence and use of midrashic texts in these tosafist Torah compilations, the extent to which known Tosafists adhered to these same patterns, and the relationship of the midrashic methodology of the tosafist Torah compilations to Rashi's stated exegetical goal, which was to focus on *agadah hameyasbevet divrei mikra*, rather than on other kinds of aggadot or *midrashim*.

III

Da'at zekenim contains an interpretative expansion of a passage in *Genesis Rabbah* (20: 7) that discusses the extent of man's domination over woman as expressed in Genesis 3: 16, 'and he will dominate you'.⁴⁹ The core midrashic passage consists

'Shofetim' and 'Ki tetsa') was published by Shraga Abramson (from MS Oxford/Bodleian Heb. e. 10) as *Ba'alei batosafot al batorab* (Jerusalem, 1974), along with a lengthy introduction. With respect to the development of halakhic *midrashim*, most modern scholars still believe that these texts and their scriptural derivations preceded the mishnaic organization of tannaitic material in a topical way. See e.g. E. E. Urbach, 'Scriptural Derivation as the Basis for Jewish Law and the Problem of the Rabbinic Scribes' (Heb.), in id., *From the World of the Sages* [Me'olamam shel ḥakhamim] (Jerusalem, 1988), 50–66, and the discussion and studies cited in David Halivni, *Midrash, Mishnah, Gemara* (Cambridge, Mass., 1986), 18–68. In the case of the Tosafists, however, there is no doubt that the talmudic Tosafot were the original site of activity, and the placement of these materials into a kind of Torah commentary reflects a subsequent development.

⁴⁸ See Poznanski, *Introduction to Northern French Biblical Commentators* (Heb.), pp. cvii–cvix; *Sefer hagam*, ed. Orlian, 85–7 (which also contains an assessment of the influence of *Sefer hagam* on these works); and *Tosafot bashalem*, ed. Gellis, editor's introd., i. 12–13. *Hadar zekenim* appears to have been composed after *Da'at zekenim*; see below, n. 103. Japhet notes that both *Da'at zekenim* and *Hadar zekenim* were among the sources for *Hizekuni*, which she dates to 1275 (or perhaps a bit later). See Japhet, 'Hizekuni's Commentary' (Heb.), 99–100. *Da'at zekenim* was first published in Livorno in 1783. It was published under the title *Rabotenu ba'alei batosafot al batorab* in Warsaw in 1876 (together with *Minbat yehudah*, composed in 1313 by R. Judah b. Eliezer (Riba), and the Torah commentary by R. Ovadyah Bartenura). This edition was reprinted several times, most recently in Jerusalem in 1967.

⁴⁹ See *Rabotenu ba'alei batosafot al hamishbah hunshei torah* (Jerusalem, 1967), 'Genesis', fo. 4a (= *Tosafot bashalem*, ed. Gellis, i. 138–9, §13):

אמרינן בב"ר (בשם ר' יוסי הגלילי) יכול ממשלה מכל צד ת"ל לא יחבול רחים ורכב. ופי' ר' יצחק יכול ממשלה מכל צד שיהא לו רשות למשכן אשתו ת"ל לא יחבל רחים ורכב. ואשתו נקראת ריחים כדכתי ויהי טוחן בבית האסורים כדדריש בסוטה (דף י' ע"א) וכת' תטחן לאחר אשת' ובירושלמי תרגם פסוק זה לא ממשכנין ריחיא ורכבא צרכי נפשתיא אינו. ופי' לא תאסור כללין וחנתנין שאם אירס אשה לא ינחנה לישב עגונה באירוסין זמן מרובה.

This passage is also found in one of the more reliable manuscript versions of *Da'at zekenim*, MS Moscow National Library (Guenzberg) 268, fo. 78^r, and is cited in briefer form (and without the names of either R. Yose Hagelili or R. Isaac) in *Hizekuni*, which, as Sara Japhet has suggested, uses *Da'at zekenim* as one of its unnamed sources. See Japhet, 'Hizekuni's Commentary' (Heb.), 99–101, and cf. M. M. Kasher, *Torah shelemah*, vol. ii (Jerusalem, 1929), 274.

of a statement by Rabbi Yose Hagelili that Scripture does set limits to a husband's domination of his wife. This is based on Rabbi Yose's euphemistic (and non-contextual) interpretation of Deuteronomy 24: 6 ('one may not take in pawn a lower or upper millstone'), to mean that a husband (represented by the upper millstone) may not harm his wife (the lower millstone).⁵⁰ *Da'at zekenim* then cites an expansion of Rabbi Yose's comment in the name of a Rabbi Isaac, that a husband may not use his wife as collateral for his debts, by sending her to work or to serve in the home of another man (even in theoretically permitted roles, such as cleaning the home), again on the basis of his marginally more contextual understanding of Deuteronomy 24: 6. *Da'at zekenim* concludes with a passage from the Palestinian Targum (Targum Yerushalmi), which understands the phrase in Deuteronomy 24: 6 to mean (in a vein similar to that of Rabbi Yose Hagelili) that it is inappropriate for a bridegroom to make his bride into a kind of *agunah* ('chained woman'), thus depriving her of intimacy with him, by delaying the full implementation of their marriage (*nesuin*) for an extended period of time, once the initial halakhic betrothal (*kidushin*) has been accomplished.

Establishing the identity of Rabbi Isaac in the *Da'at zekenim* passage presents something of a challenge. An instinctive reaction might be to suggest that he is the best-known Rabbi Isaac from within the tosafist period and milieu, Rabbi Isaac ben Samuel of Dampierre (Ri Hazaken, twelfth cent.). The only positive support for this suggestion, however, comes from the late thirteenth-century tosafist Torah commentary compiled by Rabbi Hayim Paltiel. This compilation cites the entire passage found in *Da'at zekenim* on Genesis 3: 16 on the phrase in Deuteronomy 24: 6. Here, Rabbi Isaac's comment is introduced by his initials (*ufresh r"y*), which is the most common way that Tosafot texts on the Talmud refer to Ri of Dampierre.⁵¹ Moreover, immediately preceding this passage in Rabbi Hayim Paltiel's compilation is a halakhic analysis of Deuteronomy 24: 6 (concerning the care that must be taken when confiscating items from the borrower for collateral that are vital to the borrower, the primary meaning and context of this verse) that can be found in Tosafot texts on the talmudic tractates *Bava metsia* and *Menahot*.⁵²

⁵⁰ Deut. 24: 6 literally reads that one may not seek collateral for a debt owed that would be ruinous to the borrower, such as the impounding of a gristmill that the borrower uses for basic sustenance. R. Yose Hagelili understands the two parts of the gristmill to be a euphemism for husband and wife, a rabbinic conception for which the midrashic passage cites additional biblical verses.

⁵¹ This passage, including the interpretation in the name of Ri, is also found (with some variation) in a sermon of R. Joshua ibn Shu'eib, the 14th-cent. Spanish *darshan*. See Shraga Abramson, 'The Epistle on Holiness Attributed to Nahmanides' (Heb.), *Sinai*, 90 (1982), 235 n. 28. On the coincidence of R. Isaac and Ri in the corpus of Tosafot, cf. e.g. Tosafot on *Ber.* 11b, s.v. *shekevar*: *והשיב ר"י נשאל להרב יצחק . . . ואומר ר"י דמשום מצוה . . . ואור"י דאין זה תקנה . . . ואומר רבינו יצחק חידא . . . ואור"י דנתיני וכר' . . .*

⁵² Tosafot on *BM* 115a-b, beginning with s.v. *vehayav*; Tosafot on *Men.* 58b, s.v. *ein*. On the northern French dimensions of the standard Tosafot on *Bava metsia* and *Menahot*, see Urbach, *The Tosafists* (Heb.), ii. 646-58, 663-5.

The sequence of the presentation in Rabbi Hayim Paltiel's compilation perhaps suggests that the primary halakhic implications of Deuteronomy 24: 6 (concerning the confiscation of vital items as collateral) were taken up first, after which Tosafists proceeded to discuss the midrashic use of this phrase, which deals with the limits of what a husband may demand from his wife as well as the related issue of a bridegroom not placing his bride in an unfair situation.⁵³ Nonetheless, Ri's name does not appear in any of those Tosafot texts that discuss the primary halakhic implications. Moreover, of the dozens of times that *Genesis Rabbah* is cited in the standard Tosafot on the Babylonian Talmud, Ri's name is found in less than a handful of instances,⁵⁴ although his son and dedicated student, Rabbi Elhanan (who died as a martyr in 1184), is associated with several other such passages.⁵⁵ On balance, Ri's presence in the *Da'at zekenim* passage at hand cannot be effectively confirmed. Interestingly, one manuscript of a tosafist Torah compilation attributes the basic comment of Rabbi Isaac (and the relationship between Gen. 3: 16 and Deut. 24: 6) found in *Da'at zekenim* to Ri's uncle Rashbam.⁵⁶ No extant formulations of Rashbam's commentary on Genesis or Deuteronomy include this comment, however, and it is exceedingly difficult to imagine that Rashbam would have offered a comment or addendum to a passage in *Genesis Rabbah* as part of his *pesbat* Torah commentary.⁵⁷

In fact, however, Rabbi Isaac's addendum to the first part of the *Da'at zekenim* passage is found precisely (albeit without attribution to Rabbi Isaac) in *Bereshit rabati*, a work associated with the eleventh-century Provençal rabbinic scholar

⁵³ See *Perushei hatorah lerabi hayim palti'el*, ed. Lange, 604, and esp. n. 9, for the Tosafot parallels to the first part of the discussion.

⁵⁴ See e.g. Tosafot on *Pes. 3b*, s.v. *rokbevet*; Tosafot on *BK 38a-b*, s.v. *nasa*; Tosafot on *AZ 10a*, s.v. *she'eim*; and the next note.

⁵⁵ See e.g. Tosafot on *BM 86b*, s.v. *habu*; Tosafot on *AZ 25a*, s.v. *lemosbeh*. R. Elhanan is also mentioned together with Ri in Tosafot on *Bava kama* in the above note. It should also be noted that the standard Tosafot on *Avodah zarah* are based to a large extent on those edited by R. Elhanan. Cf. Urbach, *The Tosafists* (Heb.), ii. 655; *Tosafot al masekhet avodah zarah lerabenu elhanan b. yitshak*, ed. David Fraenkel (Husiatyn, 1901), fos. 10b (*AZ 10a*, s.v. *she'eim*), 28 (*AZ 25a*, s.v. *lemosbeh*); and *Tosefot barash mishants* in M. Y. Blau (ed.), *Sbitat bakadmonim al masekhet avodah zarah* (New York, 1969), 50, 80.

⁵⁶ See MS Florence/Laurenziana Plut. II: 20, fo. 145^v:

והוא ימשול בך. אמ' ב"ר יכול ממשלה מכל צד, ת"ל לא יחבל ריחים. ופי' רשב"ם יכול
ממשלה מכל צד פ' שיוכל למשכנה ת"ל לא יחבל ריחים. ועל האשה כתי' כי יקח איש
אשה ואשה נקראת ריחים דכתי' גבי שמשון ויהי טוחן ואמ' רז"ל שכל אחד הביאה לו
אשתו וכת' ותטחן לאחר אשתו.

⁵⁷ Cf. above, n. 14. *Moshav zekenim*, ed. Sassoon, 5, records a different comment at the beginning of Gen. 3: 16 in the name of Rashbam, which is also not attested by verified manuscript evidence. On the difficulty in properly reconstructing this part of Rashbam's commentary on Genesis, see *Perush hatorah asher katarav barashbam*, ed. David Rosin (Breslau, 1882), editor's introd., p. xxxix. For some recent attempts to clarify the texts of (and to find additional comments of) Rashbam on the Torah on the basis of citations found in other related published works and in manuscript, see e.g. E. Touitou, *Exegesis in Perpetual Motion* (Heb.), 189–209; Ithamar Kislev, 'The Commentary of *Hizekumi* as a Textual Witness for Rashbam's Torah Commentary' (Heb.), in M. Bar-Asher et al. (eds.), *A Gift for Sara Japhet* [Shai lesarah yefet] (Jerusalem, 2008), 173–93; and cf. Moshe Sokolow, "Interpretations that are Discovered Anew

Rabbi Moses Hadarshan and his school.⁵⁸ Given that *Da'at zekenim* cites passages from *Beresbit rabati* on several occasions (once in the name of Rabbi Moses himself, but most often without any name and without even mentioning the name of the work),⁵⁹ it is likely that we are dealing here with a midrashic text that completely predates the tosafist period and did not have any tosafist input into its original formulation, and in which Rabbi Isaac is an unidentified figure from the talmudic period or beyond. *Da'at zekenim*, then, is simply presenting and linking a series of related midrashic and aggadic passages and observations.⁶⁰

At the same time, however, the last part of the *Da'at zekenim* passage, which cites the Palestinian Targum and relates the imagery of the millstone to a groom who withholds from his bride the full measure of marital status and married life, does have analogues within tosafist literature.⁶¹ The tosafist Torah commentary *Pa'ane'ah*

Each Day": New Sections from the Torah Commentary of Rashbam' (Heb.), *Alei sefer*, 11 (1984), 72–80.

⁵⁸ *Midrash beresbit rabati nosad al sifro shel r. mosheh hadarshan*, ed. Ch. Albeck (Jerusalem, 1940; repr. Jerusalem, 1984). As Albeck notes in his introduction (1–5), the work that we have is apparently an abridgement of a longer work (*Beresbit rabah gedolah*) that R. Moses composed. Cf. Mack, 'The Later Midrashim', 147; id., 'The Path of a Homily, from the Work of R. Moses Hadarshan to Rashi's Torah Commentary' (Heb.), *Tarbiz*, 65 (1996), 253, 260 n. 46. The comment under discussion here is found in the body of Albeck's edition, on p. 46: *הוא ימשול בך. א"ר יוסי הגלילי יכול ממשלה מכל צד ת"ל לא יחבל. רחים ורכב. ומנין שאינו רשאי למשכנה שנאמר ולא תחבול בגד אלמנה*. The passage in *Beresbit rabati* then continues with the case of a woman who was being taken advantage of by her robber-husband, which is also found in the original *Genesis Rabbah* text. Albeck (46 n. 2), however, raises the possibility that this passage follows an alternative version of the original *Genesis Rabbah* text, since *Beresbit rabati* cites Deut. 24: 17 (*lo yabavol beged almanah*) as the proof-text for the follow-up to R. Yose Hagelili's initial statement (attributed in *Genesis Rabbah* to R. Isaac), that a wife may not be used as collateral, rather than Deut. 24: 6 (*lo yabavol rehayim varakhev*). Cf. *Midrash Beresbit Rabba*, ed. Theodor and Albeck, 191, for a version that also cites Deut. 24: 17 as the proof-text for R. Yose Hagelili himself. This verse perhaps conveys a bit more directly both R. Yose Hagelili's point (that a wife may not suffer at the hands of her husband) as well as the next point about her not being used as collateral. See also below, n. 65.

⁵⁹ On the role of *Beresbit rabati* as an interpretation of *Genesis Rabbah*, see Albeck's introduction, 2–4. On the use of *Beresbit rabati* by *Da'at zekenim* (which appears to have the most citations among the so-called tosafist Torah commentaries), see Albeck's introd., 31 (and the body of *Beresbit rabati*, ed. Albeck, 61 n. 24). R. Moses' name is cited in *Da'at zekenim*, 'Genesis', fo. 51a (on Gen. 49: 25). As Albeck also notes (introd., 35–6), a handful of medieval texts, including the tosafist Torah compilation *Minbat yebudab* (and at least one other Ashkenazi work), cite explanations from *Beresbit rabati*, which they attribute to contemporary teachers. See also Albeck, 33, for a passage in Tosafot on *AZ 10b*, s.v. *amar leb*, which cites part of a lengthy passage from *Beresbit rabati*. These Tosafot were based on the Tosafot of R. Elhanan, son of Ri; see above, n. 55.

⁶⁰ For instances of the name R. Isaac appearing in tosafist Torah commentaries in which the references do not seem to be to Ri of Dampierre but rather to some other medieval Ashkenazi rabbinic figure, see e.g. *Da'at zekenim*, 'Genesis', fo. 50a (on Gen. 49: 10, and cf. *Tosafot hashbalem*, ed. Gellis, v. 52, §1); *Minbat yebudab*, 'Exodus', fo. 20a (on Exod. 16: 14, and cf. *Tosafot hashbalem*, vii. 267, §3); *Moshev zekenim*, ed. Sassoon, 16 (on Gen. 12: 6); *Tosafot hashbalem*, ii. 108, §2 (MS Jewish Theological Seminary 791); *Tosafot hashbalem*, iv. 110, §3 (MS Verona (Municipal Library) 4); and MS Paris 1292, fo. 56^v.

⁶¹ See also the so-called *perush rashi* on the standard edition of *Genesis Rabbah*, 20: 7. This commentary is characterized briefly by Ta-Shma, *Keneset mehkarim*, i. 97.

raza presents a comment on Exodus 20: 13 (*lo tinaf*, ‘do not commit adultery’) in the name of a northern French Tosafist from the first half of the thirteenth century, Rabbi Samuel ben Solomon of Falaise. According to Rabbi Samuel of Falaise, the prohibition of *lo tinaf* is also meant to proscribe (as derived through a kind of *notarikon* application⁶²) ‘the placing of anger [*lo titen af*] between husband and wife’, which will lead to the cessation of marital relations, as well as the rendering of the husband and wife impotent through some form of sorcery, ‘so that they cannot have relations, which will foster enmity between them’. The passage in *Pa’ane’ah raza* concludes by citing the Palestinian Targum of Deuteronomy 24: 6, which forbids damaging the relationship between husband and wife, as found at the end of the *Da’at zekenim* passage.⁶³

The full *Da’at zekenim* passage and the *Pa’ane’ah raza* passage in Exodus associated with Rabbi Samuel of Falaise have a common rabbinic theme, which is larger than the contextual interpretation of the Torah verses in question. Despite the relative dominance of the husband within marriage, the Palestinian Targum passage stresses that nothing untoward may be imposed either from within or from without that will force husband and wife to live apart, whether by a third party or even by the husband himself. The rabbinic conception is predicated on the notion that the husband’s dominance is limited in this regard and in related matters. Although this conception is linked to verses in Genesis (3: 16), Exodus (20: 13), and Deuteronomy (24: 6), it is not so much about local biblical exegesis as about putting forward a rabbinic teaching on the basis of several different biblical verses that would allow this principle to become fully and repeatedly established.⁶⁴

⁶² *Notarikon* is a shorthand representation of a word by a single letter or letters. In this instance, *lo tinaf* is thereby expanded to connote *lo titen af*.

⁶³ See *Tosafot hasbalem*, ed. Gellis, viii. 116, §13 (citing the published edition), and see also MS Oxford/Bodleian Opp. Add. 4^{to}, 103, fo. 62^v:

לא תתן אף בין איש ואשתו מכשפים לאסור אדם ואשתו בשעת נישואין ושוואין זה את זה ועובר על לאו דלא תחבול ריחים ורכב כמו שתרגם ירושלמי לא תאסר כלין וחתנין ארי כל דעביד כן חייב (לממד) דריחים זה האשה ורכב זה האיש. בין איש לאשתו כל' לא תתן אף שבזה מטיל אף בינה ובין בעלה שאסרה עליו. אי נמי אזהרה להקושר את האיש ואת האשה במכשפות מבלי יוכל לשמש ומטילין שואה ביניהם. הר"ר שמואל מפלייזא. ובתרגום ירושלמי מפרש על זה לא תחבול ריחים ורכב ריחים זה האשה ורכב זה האיש.

R. Samuel of Falaise, a Tosafist and halakhist, studied with several of Ri’s important students, including R. Judah of Paris, R. Solomon of Dreux and R. Barukh b. Isaac; see Urbach, *The Tosafists* (Heb.), i. 461–5. R. Samuel’s father, R. Solomon b. Samuel, was connected to the German Pietists in terms of esoteric and magical teachings, as well as biblical exegesis, although there is no evidence that R. Samuel was similarly trained. See Kanarfogel, *Peering through the Lattices*, 94–103. The later *Moshav zekenim* collection on Exod. 20: 13 (ed. Sassoon, 168) records only the name of R. Samuel (without his locale of Falaise), which might provide at least a tangential explanation for the misattribution of the related passage in *Da’at zekenim* to R. Samuel b. Meir (Rashbam, above, n. 57). Cf. below, n. 92.

⁶⁴ See also *Ba’alei batosafot al hatorab*, ed. S. Abramson, 57–8 (on Deut. 24: 6). This text cites the Palestinian Targum, that one should not interfere with the marriage of a man and a woman, as the interpretation of the phrase *lo yabavol rehavim varekhev*, arguing also for this interpretation in light of the scriptural juxtaposition, in which this verse is preceded by the proviso (in Deut. 24: 5) that a newly married

passage suggests an important limitation and appreciation of the relationship between husband and wife, which deserves wider attention and conflation. The result found in *Da'at zekenim* is a kind of rabbinic *midrash*, based on *Genesis Rabbah*, that might impact the reader in a more meaningful or beneficial way on the one hand, and that could be repeated or reformulated at other points in the Torah on the other. If, for Rashi, *derash* or Midrash are mostly exegetical tools, this midrashic text and method for *Da'at zekenim* are destinations in and of themselves, on the way to a broad, popular presentation of sensitive rabbinic morals and halakhic observances.

IV

Da'at zekenim's comment on Genesis 6: 9 ('Noah was a righteous man in his generations'),⁶⁷ begins with another passage from *Genesis Rabbah* (30: 8) that is very brief and has no connection to Rashi's commentary on the Torah: people who are characterized by the Bible as *tamim* ('perfect' or 'complete') lived to an age that was marked or measured by the 'perfect' number of seven.⁶⁸ *Da'at zekenim* then cites the Tosafist Rabbi Isaac ben Abraham (Rizba or Riba of Dampierre, d. 1210), who explains that this midrashic passage means to indicate that the lifetimes of these people can be divided 'perfectly' by the number seven, without any remainder.⁶⁹ Rizba adds, as an extension of this midrashic passage, that Abraham, who is also referred to as *tamim*, in Genesis 17: 1, lived 175 years (a number which is divisible by seven). A question is then raised, however, from the case of Noah, who is called *tamim*, but who lived for a total of 950 years (which is not divisible by seven, leaving a remainder of five years). A manuscript version of *Da'at zekenim* identifies the questioner here as the Tosafist Rabbi Solomon (ben Judah) of Dreux who was, like Rizba, a student of Ri. Indeed, it was Rabbi Solomon of Dreux who asked Rizba both about the basic meaning of the word *tamim* (as reflecting divisibility by seven), as well as the specific application to Noah.⁷⁰ The answer given by Rizba to Rabbi

⁶⁷ *Rabotenu ba'alei hatosafot*, 'Genesis', fo. 5b:

איתא בב"ר פ' ל' סי' ז שכל מי שנאמר בו תמים, בידוע שנשלמו שנותיו למדת השבוע. ופירש ה"ר יצחק ב"ר אברהם ששנותיו הולכין בשביעיות כמו שמצינו באברהם ע"ה שחי קע"ה. ונח שחי תשע מאות שנה וחמשים שנה והם ה' שנים יתרים על השביעיות ל' שיש לחשוב משעה שנאמר לו תמים דהיינו כשאמר ה' יתברך לעשות התבה והוא מתעסק בה מאה ועשרים שנה. וש"נ שנה אחר המבול הרי לך ת"ע. סלק שנת המבול שאינה נחשבת לפי שנשתנו בה סדרי בראשית והנשארים הולכים לשביעיות.

⁶⁸ *Midrash Bereshit Rabba*, ed. Theodor and Albeck, 273: תמים. בר חוטה אמר כל מי שנ' בו תמים השלים: שנותיו למידת שבוע.

⁶⁹ Cf. below, n. 72. On the location and circumstances of Rizba's death, see S. Emanuel, 'R. Yehiel of Paris', 96–9.

⁷⁰ See MS Moscow 268, fo. 79r:

תמים. אמ' בב"ר שכל מי שנאמר בו תמים, בידוע שנשלמו שנותיו למדת השבוע/לחשבונם. ושאל ה"ר שלמה דרויש לה"ר ריצב"א הפירושו. והשיב לו ששנותיו הולכים לו בשביעיות באברהם שחי קע"ה שנה. והקשה לו מנח וכו' והשיב לו וכו'.

A similar passage is found in the so-called *Tosafot harosh al batorab* (*sba'al r. shelomoh lariva*; see also

Solomon concerning Noah, after presenting the clear example of Abraham, is that Noah's life is to be calculated according to the factor of *tamim* (divisibility by seven) only from the point that he was actually called *tamim*. Noah was given this appellation at the beginning of the Torah portion that bears his name, when he was instructed to construct the ark. The construction of the ark took 120 years, and Noah lived for another 350 years after the flood, for a total of 470 years. The year of the flood itself, however, must be deducted from this total, because the order of Creation and normal human existence were effectively suspended during that year.⁷¹ The remaining number, 469, is indeed perfectly divisible by seven.

Sefer hagan provides additional examples that support the core *Genesis Rabbah* passage. Division by seven is easily calculated not only for Abraham, but also for the lifespans of Job (who is referred to as *tamim* in Job 1: 1, and lived for 140 years) and for Jacob (Gen. 25: 27, *veya'akov ish tam* 'and Jacob was a mild man', who lived for 147 years). The question concerning Noah is raised by *Sefer hagan*, but a somewhat different solution from the one proposed by Rizba is suggested. In Noah's case, his lifespan as a *tamim* is to be calculated only for the period of time that he lived after the flood, which is mentioned explicitly in the Torah as a period of 350 years (Gen. 9: 28, 'And Noah lived 350 years after the flood').⁷² The concern of *Sefer hagan*, like that of Rizba, seems to lie mostly with explicating the brief passage in *Genesis Rabbah*,

Perushei batorab lerabi hayim palti'el, ed. Lange, 15), and in other manuscripts of tosafist Torah commentaries (including MS Oxford/Bodleian Opp. 27, fo. 21^r, which links this interpretation to a R. Mordekhai Hatsarefati and to *Midrash lekah tov*, and refers to dividing the lives of Abraham and Noah into *shemitot* (seven-year sabbatical cycles)). See *Tosafot hashalem*, ed. Gellis, i. 198, §30, and cf. MS Oxford/Bodleian Hunt 569, fo. 3^r, and *Hizekuni*. All the ten or so comments found in the tosafist Torah compilations in the name of R. Solomon of Dreux are either talmudic or midrashic in nature. See Norman Goltz, *The History of the Jews in Rouen during the Middle Ages* [Toledot hayehudim bi'ir rouen biyemei habeinayim] (Tel Aviv, 1976), 190–2, and Urbach, *The Tosafists* (Heb.), i. 339–40. Indeed, Urbach suggests that R. Solomon's biblical interpretations were taken from his talmudic Tosafot. Regarding Rizba, see Urbach, i. 270 (citing Zunz), and *ibid.* 261 n. 4; above, n. 21; and below, n. 74. On the nature of *perush/tosafot harosh al batorab*, and its attribution to R. Asher b. Yehiel, see e.g. A. H. Freimann, *R. Asher ben Yehiel and his Descendants* [R. asher b. yehi'el vetse'etsa'av] (Jerusalem, 1986), 129; *Tosafot hashalem*, ed. Gellis, editor's introd., i. 20; *Sefer hagan*, ed. Orlian, 95–6; *Sarei ha'elef*, ed. M. M. Kasher and Y. D. Mandelbaum, vol. i (Jerusalem, 1979), 67; and I. Ta-Shma, *Keneset meḥkarim*, ii. 163. The scholarly consensus is that the R. Asher who may have composed this work was probably not the famous halakhist R. Asher b. Yehiel, and it is possible that the work emanated from northern France rather than from Germany (although like *Moshav zekenim*, it also refers to a number of Spanish writings including Nahmanides' Torah commentary).

⁷¹ See e.g. *Gen. Rabbah*, 33: 10.

⁷² See *Tosafot hashalem*, ed. Gellis, i. 198, §29 (= *Sefer hagan*, ed. Orlian, 137):

בב"ר שנינו כל מי שנא' בו תמים השלים שניו למנין שבע. וק' תניח איוב אברהם ויעקב דכת' בהו תמים מצינו בהו השלימו שנותיהן למנין שבע. נח דכת' ביה תמים מאי איכא למימר? והרי לא השלימו שנותיו למנין שבע דמניין שנותיו ט' מאות ונ' פשו להם ה' שנים. וי"ל דאשכחן בהו מניין שבע בשנים שחי אחר המבול דכתיב ויחי נח אחר המבול שלוש מאות וחמישים שנה.

Gellis, *ibid.*, notes that this passage is also found in MS Oxford/Bodleian Opp. Add. 4¹⁰, 127 (above, n. 40), in the name of R. Ahai (?). On *Sefer hagan's* use of *Genesis Rabbah*, cf. ed. Orlian, 32–3.

and providing clear examples of what the midrashic passage means and how it works, before tackling the more difficult calculation for Noah.

Sefer hagan and *Da'at zekenim* also discuss a neighbouring passage in *Genesis Rabbah*. On the same verse in Genesis about Noah, *Genesis Rabbah* notes that people who are characterized in the Bible by the verb *hayab*, 'was' (as was Noah: *tamim hayab bedorotav*, 'he was perfect in his generations'), witnessed a 'new world', a kind of sea change within the period of their own existence. Noah, as indicated in the Torah, went from a world that was destroyed to a new and better world. Joseph went from being a lowly prisoner to being the viceroy of Egypt, Moses went from fleeing from Pharaoh for his life to seeing Pharaoh drown in the Red Sea, Mordechai went from the possibility of being hanged for disobeying the king to being paraded around on the king's horse, Job went from a state of abject suffering to a life of blessing. Moreover, according to this passage in *Genesis Rabbah*, those who are characterized by the term righteous (*tsadik*) are noteworthy for providing sustenance and support for others. Noah supported his family (and thus the entire world) during the period of the flood, Moses supported the Jewish people during their sojourn in the desert, Job consistently fed the poor, and Mordechai took care of babies (as the Midrash describes, on the basis of Esther 2: 7).⁷³

In this second passage, *Genesis Rabbah* itself provides a full roster of named biblical examples, as opposed to the prior piece on divisibility by seven, where it does not. The *Da'at zekenim* text combines both elements of the second passage, asserting that those who are characterized by the verb *hayab* 'saw a new world and supported others'. The names of Noah, Joseph, Moses, and Job are then mentioned, with no discussion. *Da'at zekenim* concludes simply, 'in all of them you will find these two characteristics'. It was perhaps the fuller discussion within *Genesis Rabbah* itself as part of the second passage that caused the compiler of *Da'at zekenim* to treat the terms of *hayab* and *tsadik* so briefly.

The lengthier discussion in *Sefer hagan* on the terms *hayab* and *tsadik* contains no tosafist names or addenda; it simply presents the midrashic text and its examples more fully. Regarding the midrashic passage about *tamim*, however, the tosafist addenda in both *Sefer hagan* and *Da'at zekenim* are fairly significant. Indeed, both of these tosafist compilations may have taken their cue in this matter from the Midrash itself, which did present the various named examples in full in the passage dealing with the terms *hayab* and *tsadik*. Thus, with respect to *tamim*, the compiler of *Da'at zekenim* includes the names and views of the Tosafists (Rizba of Dampierre and Rabbi Solomon of Dreux) who were initially involved in the explanation and expansion of the midrashic passage, while *Sefer hagan* presents its different explanation for the view of *Genesis Rabbah* and adds the names of Jacob and Job to those whose lives were divisible by seven.

⁷³ This passage is found in both of the extant manuscripts of *Sefer hagan*, MS Vienna 28 (see *Sefer hagan*, ed. Orlian, 137), as well as MS Nuremberg 5. See also *Tosafot hashaleim*, ed. Gellis, i. 197–8, §27. The piece from *Sefer hagan* cited in the above note, however, is found only in the Vienna manuscript.

From both of the two approaches to calculating Noah's years as a *tamim* put forward by *Sefer hagan* and *Da'at zekenim*, we can appreciate the substantive involvement of northern French Tosafists in the interpretation of passages in *Genesis Rabbah* that are not linked in any obvious ways to talmudic discussions, or to the comments of Rashi on the biblical verses involved. Questions were posed and solutions were offered for the midrashic text itself. The aim of these discussions was to explain and to clarify the text and approach of *Genesis Rabbah*. As with the prior example concerning the limits of a husband's domination, however, these tosfist views and passages also made their way into other venues within the corpus of tosfist Torah commentaries and compilations. As with that example, this strategy allows for suggestive rabbinic principles or issues of interpretation, that are not fixed around or within any single verse or section of the Torah, to be presented and highlighted.

A manuscript version of *Pa'ane'ah raza*, on the phrase 'and Jacob was a mild [*tam*] man' (Gen. 25: 27), cites *Sefer hagan* as linking its own solution to the problem of the *tamim* lifetime of Noah with the name of Rizba,⁷⁴ as does *Moshav zekenim* on that verse. Indeed, *Moshav zekenim*, which begins by explicitly quoting the text of *Genesis Rabbah* that *tamim* reflects a type of perfection related to the number seven, invokes the seven weeks of the *omer* period, characterized by the Torah as *temimot* ('perfect' or 'complete', in Lev. 23: 15), as a model for this concept.⁷⁵ By moving this discussion away from its original locus in Genesis 6: 9, *Moshav zekenim* and the *Pa'ane'ah raza* variant further highlight the broader appeal of this *derashah*, and position it as a midrashic discussion that can be appreciated irrespective of a particular talmudic *sugya* or passage in Rashi's Torah commentary.⁷⁶ Indeed, the larger scholarly discussion about whether a particular midrashic collection typically provides local scriptural exegesis of the verses (or Torah portions) in question, or whether the Midrash conflates the verses and essentially addresses ideological or conceptual issues that emerge from these verses in homiletical form, can be applied to the tosfist Torah compilations as well.⁷⁷ The passages from the com-

⁷⁴ See MS Oxford/Bodleian Opp. Add. 4^{to}, 103, fo. 31^{r-v}:

ויעקב איש תם. כתיב במדרש כל מקום שנא' בו תמים הולכים שנותיו [בגליון: הולכות שנותיו] לאחר שבוע. ופי' רבינו יצחק בן אברהם כתי' והיה תמים וחי קע"ה שהן שבעיות ויעקב איש תם וחי קמ"ז דהיינו שבעיות. ואיוב איש תם וישר חי ק"מ שנה שהם שבעיות. ואמ' רבי' יצחק ב"ר אברהם דאין למנות עיקר מגין שני נח כי אם מן המבול ואילך דכל מה שנברא קודם שנתבטל. ומשם ואילך חי ש"נ שנים והיינו שבעיות. ג"ן.

Sefer hagan could certainly have cited the northern French Tosafists mentioned in the *Da'at zekenim* passage. As noted in the index to *Sefer hagan*, ed. Orlian, 99–110, R. Isaac b. Abraham is mentioned three times in the Vienna manuscript of *Sefer hagan* (on Gen. 25: 23, Gen. 31: 33, and Lev. 19: 27), and R. Solomon of Dreux is mentioned once (on Lev. 27: 29).

⁷⁵ *Moshav zekenim*, ed. Sassoon, 39.

⁷⁶ Cf. *Perushei batorah lerabi hayim palti'el*, ed. Lange, 69–70 (and esp. n. 70), with regard to not counting the two years that Isaac spent in *gan eden* following the Akedah (according to one midrashic approach) as part of his lifespan.

⁷⁷ See e.g. A. Geulah, 'Midreshei agadah avudim', 36–41 (and the literature cited in p. 36 n. 251), and 184 n. 1217.

pilations under discussion, like the midrashic passages that they present and expand, do not explain the essential meaning of the word *tamim* (or the terms *hayab* and *tsadik*), nor do they resolve scriptural problems or questions engendered by the use of these words. Rather, they provide a broader framework through which to link the biblical figures to whom this word is applied, and to appreciate these figures in light of the noteworthy characteristics that they shared.

V

To this point, the passages from the tosafist Torah commentaries that we have reviewed contain only the names of northern French Tosafists, even as some of the later collections that have been mentioned (most notably *Perushei rav hayim palti'el*) were compiled by scholars who lived or studied in Germany. Indeed, we have already noticed a particular affinity among French Tosafists for the study and interpretation of *Genesis Rabbah*. Nonetheless, names of German Tosafists and rabbinic figures do appear with some frequency in the so-called tosafist Torah commentaries as well, even in those collections that were compiled or composed within northern France, such as *Da'at zekenim* and *Hadar zekenim*. Indeed, no less a leading German figure than Rabbi Judah Hehasid figures fairly prominently in a number of these collections.⁷⁸ It is certainly worthwhile to see how German rabbinic scholars during the period of the Tosafists dealt with issues of aggadic and midrashic interpretation, as they related to the text of the Torah.

Towards the end of the portion of 'Hayei sarah', the Torah records that Abraham gave gifts to the children of his concubines, and sent them away from his son Isaac (Gen. 25: 6). Rashi on this verse cites the talmudic interpretation, found in Babylonian Talmud *Sanbedrin* 91a, in the name of Rabbi Yirmiyah bar Abba, that Abraham 'transmitted to them an impure name [*sbem tumab*]'. From the exegetical standpoint, Rashi's intention is to explain that the 'gifts' that Abraham gave in this case were not physical ones that had any monetary value, since the previous verse had stated that Abraham gave 'everything that he had' to Isaac. However, the precise metaphysical or occult mechanisms being suggested by the talmudic passage that Rashi cites surely require some clarification.⁷⁹ *Hizekumi*, citing the talmudic passage directly rather than Rashi, first suggests that Abraham transmitted a divine name that they could make use of even when they were in a state of bodily impurity,

⁷⁸ See e.g. *Da'at zekenim*, 'Genesis', fos. 4a, 18a, 24a (cf. below, n. 104), 25b, 41b; 'Exodus', fo. 37a (twice); *Hadar zekenim* (Jerusalem, 1963), fos. 11a, 17b, 19b; and cf. Y. Nevo, 'Exegetical Methods of *Hadar zekenim* on the Torah' (Heb.), 23. R. Judah Hehasid is also mentioned in *Pa'ane'ah raza* (cf. above, n. 29); *Moshav zekenim*; *Perushei hatorah lerabi hayim palti'el*, ed. Lange (cf. the editor's introd., 11); and *Tosefot harosh*.

⁷⁹ Rashbam and Ibn Ezra on Gen. 25: 6 were apparently unconcerned with this contextual problem. Both of these *pashtanim* understood the word 'gifts' simply, as connoting substantial monetary payments; see also Radak, ad loc.

without suffering any harm.⁸⁰ *Hizekuni* also offers a second interpretation, that it would have been highly inappropriate for the totally righteous Abraham to transmit a divine (holy) name of any sort to spiritually wicked people. Rather, he gave them a formula or a name that they could adjure in order to thwart demons, who typically held sway over them.⁸¹ *Hizekuni* cites another passage in *Sanbedrin 65b* in order to justify the use of the phrase *shem tumab* in this way, as a demonic adjuration rather than a divine name, and he concludes with a supportive *gematriyah*. The word *matanot* (gifts) in this verse is spelled defectively, without a *vav* at the end. This spelling of the word equals the *gematriyah* equivalent of the Hebrew phrase, *limdem lehasbia hasbedim* ('he taught them how to adjure demons').

Hizekuni appears to be functioning here as a kind of supercommentary on Rashi (if not as a commentary on the talmudic passage that Rashi had cited), a role that this commentary often plays, as Sara Japhet has noted.⁸² In fact, however, and again in accordance with Japhet's suggestions about the compilatory nature of *Hizekuni*, the various interpretations presented by *Hizekuni* on this verse reflect an earlier series of comments and discussions by both German and northern French rabbinic figures and Tosafists, and may well include passages from both *Da'at zekenim* and *Hadar zekenim*.

The first Ashkenazi figure following Rashi to discuss the talmudic assertion in *Sanbedrin 91a* about the *shem tumab* is Rabbi Judah Hehasid. In the relatively simple Torah commentary that he transmitted to his son Rabbi Moses Zal(t)man,⁸³ Rabbi Judah cites and explains the talmudic interpretation along the lines of the first

⁸⁰ Generally speaking, the adjuration of divine names for personal and other magical purposes requires the operator to be in a state of ritual purity. See e.g. Michael Swartz, *Scholastic Magic* (Princeton, NJ, 1996), 157–72; and Peter Schafer, *The Hidden and Manifest God* (Albany, NY, 1992), 89–91, 113–17.

⁸¹ In Rashi's commentary on *San. 91a*, s.v. *shem tumab*, this name is interpreted as *kisbuf uma'aseb shedim* (sorcery and the conjuring of demons). Although there is a degree of ambiguity here as well, it would seem that Rashi means to suggest that Abraham gave them a method either to neutralize these forces, or to marshal them to do their will. Cf. Reuven Margoliot, *Margaliyot hayam al masekhet sanbedrin* (Jerusalem, 1977), 136, §18. On Rashi's familiarity with magical and occult practices and rites, see Kanarfogel, 'Rashi's Awareness of Jewish Mystical Literature and Tradition', in D. Krochmalnik et al. (eds.), *Raschi und Sein Erbe* (Heidelberg, 2007), 23–34. On the attribution to Rashi of the commentary on *Perek helek* found in the standard editions of the Babylonian Talmud, see Yonah Fraenkel, *Rashi's Methods in his Commentary on the Talmud* [Darko shel rashi beferusho latalmud] (Jerusalem, 1980), 304–8, and Shamma Friedland, 'Rashi's Commentary on the Talmud, Corrections and Recensions' (Heb.), in Zvi Arie Steinfeld (ed.), *Rashi: Investigations into his Literary Corpus* [Rashi: iyunim biyetsirato] (Ramat Gan, 1993), 164–6.

⁸² See Japhet, 'Hizekuni's Commentary' (Heb.), 108–10. Chavel, in his edition of *Perushei rashi al hatorah* (p. 91 n. 102), notes that this comment is not found in the first edition of Rashi's Torah commentary. There are, however, a number of tosafist Torah commentaries and compilations that do ascribe this comment to Rashi. See e.g. *Moshav zekenim*, ed. Sassoon, 35, and *Tosafot hashalem*, ed. Gellis, ii. 289–90, §§7, 11.

⁸³ See Ivan Marcus, 'Exegesis for the Few and for the Many', *Jerusalem Studies in Jewish Thought*, 8 (1989), 7–8; Gershon Brin, 'Underlying Principles in the Torah Commentary of R. Judah the Pious' (Heb.), *Te'udab*, 3 (1983), 215–16; and *Perushei hatorah lerabi yehudah behasid*, ed. Lange (above, n. 25).

approach found in *Hizekuni*. According to Rabbi Judah, Abraham gave the children of his concubines a divine name that could be uttered even by those who were impure, in opposition to the many divine names that required great purity and cleanliness, which could only be used by the Jewish people. Rabbi Moses notes that his father then set out to explain what compelled Abraham to do this. Rabbi Judah suggests that since Abraham was sending these progeny away from Isaac, thereby depriving them of Isaac's spiritual companionship and guidance, he was concerned lest they encounter committed idolaters, who would use their idolatry in order to divine the future. If that effort was successful, these progeny would then become idolaters themselves, in order to continue to be able to learn about their future. To counteract this possibility, Abraham presented them with a divine name that would allow them to have an awareness of the future on their own, so that they would not need to seek out this information from idolaters.⁸⁴ Rabbi Judah's approach is also followed in some versions of the Torah commentary of his associate, Rabbi Ephraim ben Samson.⁸⁵

In commenting on this verse, *Da'at zekenim* does not cite Rabbi Judah Hehasid by name.⁸⁶ It does begin, however, with Rabbi Judah's interpretation, that Abraham's progeny would be able to use a divine name, characterized by *Da'at zekenim* as the Tetragrammaton, the *shem hameforash*, even in a state of impurity without being harmed (which is the first interpretation in *Hizekuni*), adding that there are some Muslims presently who are proficient in using this name, which they invoke even in a state of impurity. *Da'at zekenim* then continues with the question raised by Rabbi Judah as to what caused the righteous Abraham to do such a thing—again the order followed by *Hizekuni*—attributing this question, however, to 'Rabbi Moses'. This is perhaps a reference to Rabbi Moses Zal(t)man, the son of Rabbi Judah, who had reported his father's question and response. The answer recorded in *Da'at zekenim*, however, is presented in the name of a German rabbinic figure who flourished in the second half of the thirteenth century, Rabbi Jacob ben Nahman, and is different from the answer given by Rabbi Moses in the name of Rabbi Judah. It is also the second answer listed by *Hizekuni*, that the name that Abraham gave these progeny was actually a name associated with demons, which could neutralize their effect. *Da'at zekenim* also refers to a book of sorcery, *Sefer*

⁸⁴ See *ibid.* 35. In this instance, the passage appears in two of the best manuscript sources for R. Judah's comments, MS Moscow 82 and MS Cambridge 669.2 (above, n. 25). R. Judah's comment is introduced by R. Judah's son, leaving little doubt that it is authentic. Although R. Judah Hehasid's subject here is the talmudic passage, his Torah commentary contains quite a bit of *pesbat* and he often seeks to explain Rashi, whether Rashi's name is mentioned explicitly or not. See e.g. *ibid.* 214–15; Marcus, 'Exegesis for the Few and for the Many', 1–24; and Kanarfogel, *The Intellectual History of Medieval Ashkenazic Jewry*, ch. 3.

⁸⁵ See *Tosafot hashalem*, ed. Gellis, ii. 290, §11. The standard edition of *Perush rabenu efrayim al hatorah*, ed. J. Klugmann (Jerusalem, 2000), 80, notes that the *gematriyah* of *asher le'avraham* (in the phrase *velivnei hapilgashim asher le'avraham*) equals *shem tumah masar labem*. See also Kasher, *Torah sbelemah*, vol. iv (Jerusalem, 1934), 995–6.

⁸⁶ Cf. above, n. 78.

bilad,⁸⁷ explains how this kind of adjuration comports with the designation as a *shem tumah*, and presents the *gematriyah* derivation which supports this approach. The passage in the published version of *Da'at zekenim* also has a concluding attribution to 'Rabbi Moses'.⁸⁸ Understanding this as a reference to Rabbi Moses, son of Rabbi Judah Hehasid, is somewhat difficult, however, since the last answer was not part of the interpretation originally suggested by Rabbi Judah, at least as attested to by the commentary properly attributed to him. Indeed, at least two manuscript versions of the passage in *Da'at zekenim* omit any reference to Rabbi Moses in this passage.⁸⁹

It should be noted that the late thirteenth-century tosafist Torah compilation *Pa'ane'ah raza* (also compiled in northern France) interprets Rashi to mean that Abraham gave the children of the concubines a divine name that they could use even in a state of impurity, in order to cause them to leave the idolatrous objects (*hater-afim*) that had already been telling them the future, in line with the suggestion by Rabbi Judah Hehasid. This passage in *Pa'ane'ah raza*, which presents both the question and the answer of Rabbi Judah, is attributed, however, to Rabbi Moses, ostensibly Rabbi Judah's son.⁹⁰ The published edition of *Pa'ane'ah raza* contains a number of comments that are attributed to a Rabbi Moses, although it is often unclear to whom these references are intended. Indeed, they may well refer to a rabbinic

⁸⁷ The text in MS Moscow 268, fo. 80^v, reads ספר בוליאדר. Both these variants perhaps refer to the collection of magical recipes grouped under the term *baladur* (which is referred to in medieval Ashkenaz by *Sifrut devei rashi*). See Joshua Trachtenberg, *Jewish Magic and Superstition* (New York, 1939), 191–2, and cf. Gershom Scholem, *Demons, Spirits, and Souls* [Shedim, ruhot uneshamot], ed. E. Liebes (Jerusalem, 2004), 9–53.

⁸⁸ *Rabotenu ba'alei hatosafot*, 'Genesis', fo. 23b:

נתן אברהם מתנות. אמרו ב' חלק שמות בטומאה מסר להם פ' שיהו יכולין להזכיר שם המפורש בטומאת הגוף ולא יזיק להם. וגם היום יש ישמעאלים שבקיאין בשם ומזכירין אותו בטומאה. וקשה לה"ר משה היאך אדם חשוב וצדיק כאברהם ילמד השם לרשעים. לכן פ' ה"ר יעקב בה"ר נחמן שם טומאה שם השדים שמשביעין אותן באדוניהם הממונים עליהם לעשות כל מה שרוצים כמו ספר בילא"ד. ושם טומאה נקרא על שם רוח הטומאה כדאמרי' במס' חגיגה הלן בבית הקברות כדי שתשרה עליו רוח טומאה רמז לזה שהרי מתנות כתי' חסר וא"ו והוא עולה בגימטריא למדם להשביע השדים. מה"ר משה.

Cf. MS Moscow 268, fos. 79^v–80^r.

⁸⁹ See MS Jewish Theological Seminary 791, fo. 20^v:

נתן אברהם מתנות. פ"ה שם בטומאה מסר להם. ד"א שיכולים להזכיר שם המפורש בטומאת הגוף ויועיל להם. ואם ישראל מזכיר, לא יועיל ומזיק לו. וק' וכי צדיק כאברהם למד שם המפורש לרשעים להזכיר בטומאה? לכ"פ ה"ר יעקב ב"ר נחמן שם בטומאה זהו שם שדים שמשביעים אותם באדוניהם הממונים עליהם לעשות להם רצונם ונקרא שם טומאה על שם רוח הטומאה כדאיתא בחגיגה הלן בבית הקברות כדי שתשרה עליו רוח טומאה.

This manuscript also does not contain the supporting *gematriyah* found at the end of the standard *Da'at zekenim* passage. Cf. below, n. 102. MS Leiden 27, fo. 16^v, retains R. Jacob b. Nahman's name without any reference to R. Moses, and also includes the *gematriyah* of *matanot* without the letter *vav*, but adduces this *gematriyah* in support of Rashi's interpretation (*veteda perush hakuntres debakhi perusho shebarei matanot haser vav*).

⁹⁰ See *Pa'ane'ah raza*, 120. See also *Moshav zekenim*, ed. Sassoon, 35, and cf. *Perushei batorah lerabi hayim palti'el*, ed. Lange, 64 (with no names other than Rashi).

scholar from the late thirteenth century named Rabbi Moses.⁹¹ There is, however, at least one other occasion on which *Pa'ane'ah raza* mentions the names of Rabbi Judah Hehasid and Rabbi Moses together, where the intended reference is to a comment of Rabbi Judah that had been put forward by his son Rabbi Moses.⁹²

This discussion is found in even greater detail, with additional names and observations, and some new points that require clarification, in the tosfist collection *Hadar zekenim*. One of the additional observations is that the name which Abraham gave to his progeny, which could be effective and would not cause them any harm if they used it in their state of impurity, would not work, on the other hand, if a Jew tried to use it. Moreover, such use would cause harm to the Jewish operator. The unattributed question as to why Abraham would do this is then raised, and the answer of Rabbi Jacob ben Nahman is given in full, along with his name, together with the connotation of *shem tumab* as being used for adjuring demons and the *gematriyah* support for this approach. As was the case in *Da'at zekenim*, this passage concludes with the initials מהר"ם, most likely a formalized reference to Rabbi Moses rather than a reference to the better-known Maharam of Rothenburg. An additional interpretation of *shem tumab* is then presented in the name of an otherwise unknown Rabbi Jacob of Monteux.⁹³ In response to the question of how Abraham could give the power of divine names to his impure progeny, Rabbi Jacob suggests that in fact what Abraham taught them was not a divine or demonic name that could be used in

⁹¹ Thus, for example, the name R. Hayim, which is also mentioned in *Pa'ane'ah raza* with some frequency, refers in fact to R. Hayim Paltiel. See *Perusbei hatorah lerabi hayim palti'el*, ed. Lange, editor's introd., 11, and J. Rochwarger, 'Sefer Pa'aneah Raza and Biblical Exegesis in Medieval Ashkenaz', 52–5.

⁹² See *Pa'ane'ah raza*, 274 (on Exod. 21: 3), where the names מהר"ם משה and ר"ח [מ] יהודה החסיד appear after this passage. See also *Moshav zekenim*, ed. Sassoon, 35, and cf. *Perusbei hatorah lerabi hayim palti'el*, ed. Lange, 104. Lange (*ibid.*, n. 11) suggests that the *Pa'ane'ah raza* passage means to suggest that the interpretation of R. Judah Hehasid was transmitted by R. Moses of Coucy, but there is no such indication here (and the reference to R. Moses Zaltman is, in any case, much more plausible). In the case at hand, the published version of *Da'at zekenim* appears to be a later version of the *Pa'ane'ah raza* passage. It omits the name of R. Judah Hehasid, includes the name of R. Jacob b. Nahman, and concludes with the name of R. Moses (although some related manuscripts are different in this regard, as noted above, n. 88). This pattern is then followed by *Hadar zekenim* (below, n. 94). Cf. Mordechai Friedman, *Studies and Research on Rashi's Commentary* [Sefer pores mapah: mehkarim ve'iyunim beferush rashi] (Brooklyn, 1997), 205–17.

⁹³ This Hebrew form for Monteux is found in Henri Gross, *Gallia Judaica* (Paris, 1897), 321. R. Judah b. Eliezer, *Minhat yehudah* on Gen. 25: 6 record ממונט"ל (הר"ר יעקב), the more common Hebrew spelling of Monteux (Gross, *Gallia Judaica*, 320–1). Other variations of these spellings are found in MS Vatican Ebr. 48 and MS British Library Add. 22,092 (see below, n. 94). ר' יעקב הגובר ממונט"רוייל is mentioned in an earlier passage in *Hadar zekenim* (fo. 7b), on Abraham's request to the Almighty that perhaps ten righteous people could be found in Sodom. On the basis of manuscript references, the name is found in *Tosafot bashaleh*, ed. Gellis, ii. 148, as הגרני מנצר הגובר ממונט"רוייל הגובר. In that instance, R. Jacob is responding to an explicit critique of Rashi's interpretation. Cf. Norman Golb, *The Jews in Medieval Normandy* (Cambridge, 1997), 45, 52, and I. Ta-Shma, *Keneset mehkarim*, i. 290–2, for a Solomon b. Isaac of Monteux (מונטייל), in connection with the Ashkenazi commentary on the book of Chronicles found in MS Munich (Bavarian National Library) 5.

a state of impurity or in various impure demonic venues. Rather, perhaps as a final gesture towards ensuring their acceptance of monotheism, Abraham taught them to refer to their idolatrous gods in derisive or demeaning terms (literally, to give them impure names). Up to this point, they had been referring to these deities using the name of God.⁹⁴

Like Rabbi Judah Hehasid and his son Rabbi Moses, Rabbi Jacob ben Nahman of Magdeburg, who suggests in these texts that the name given by Abraham was used to mobilize demons (rather than being a divine name), was a German rabbinic scholar, albeit a lesser-known figure. He flourished during the mid-thirteenth century, and is cited with some frequency in a collection of customs that was composed by the Tosafist Rabbi Hezekiah ben Jacob of Magdeburg (and also in a manual by Rabbi Moses Fuller, an eastern European halakhist, dealing with issues of ritual slaughter and inspection), although it does not seem that Rabbi Jacob ben Nahman of Magdeburg was Rabbi Hezekiah's father.⁹⁵ Rabbi Jacob of Monteux, who suggested that the names given by Abraham were meant to name their idolatry, so that they would not use God's name for this any longer, is virtually unknown. It appears that this Rabbi Jacob, and perhaps Rabbi Jacob of Magdeburg as well, were part of the secondary rabbinic elite during the thirteenth century, who did not participate in or engage with the core group of Tosafists in the development and formulation of tosafist talmudic interpretations and analysis, but who certainly admired the tosafist oeuvre.⁹⁶

⁹⁴ *Hadar zekenim*, fos. 9b–10a:

פי שיכולים להזכיר שם המפורש בטומאת הגוף ומועיל להם ולא יזיק אותם. ואם ישראל מזכירו בטומאה לא יועיל לו ויזיק אותו. וקשה וכי צדיק כאברהם למד שם המפורש לרשעים להזכירו בטומאה. לכן פי' ה"ר יעקב בן ה"ר נחמן שם טומאה כמו שם השדים שמשביעים באזוניהם הממונים עליהם לעשות רצונם ונקרא שם טומאה על שם רוח הטומאה כדאיתא בחגיגה וכו'. ותדע דה"פ שהרי מתנת חסר ועולה בגי' מתנת הם להשביע אד"ם לשד"ם יאמר לאדם להשביע לשדים. מהר"ם. וה"ר יעקב ממוט"רוייל אומר שם טומאה כל' למדם לקרות לע"ז שלהם שם מטומאה כמו פעור ומרקוליס שנקראו ע"ש שמשמאין אותם. ומתחלה היו קוראים אותם בשם הקב"ה וכתיב אז הוחל לקרא בשם ה'.

See also MS Vatican 48, fo. 15^v; MS Moscow National Library (Guenzberg) 898 (*Hidushei tsarefat*), fo. 16^v; and MS British Library Add. 22,092, fo. 19^v. This is also found in later published tosafist collections as well, such as the early 14th-cent. *Minḥat yehudab lerabi yehudab b. eli'ezer* (Riba), 'Genesis', fo. 23b: יש פירושים כתוב בהם שם טומאה מסר להם. והר"ר יעקב ממונט"ל פי' שם טומאה זהו שלמדם לקרות שם שם פירושים כתוב בהם שם טומאה מסר להם. טומאה לע"ז שלהם כמו פעור ומרקוליס ע"ש שמשמאין אותו וכו' Both MS Florence/Laurenziana, Plut. II. 20, fo. 159^r, and *Moshav zekenim*, ed. Sassoon, 35, reproduce R. Jacob of Monteux's piece briefly, in the abbreviated name of Ri. Cf. *Tosafot hashaleim*, ed. Gellis, ii. 289–90, §7.

⁹⁵ See S. Emanuel, *Shivrei luḥot*, 223–7. (The passage by R. Jacob b. Nahman referred to *ibid.* 224 n. 26, as found in *R. Israel Bruḥa's Glosses on the Tur Commentary on the Torah* [Sefer gilyon rabenu yisra'el mibruna leferush hatur al hatorah], ed. S. Englander (Lakewood, NJ, 2001), 20–1, is R. Jacob's comment on Gen. 25: 6.) R. Hezekiah of Magdeburg's collection of customs was used by R. Hayim Paltiel in formulating his similar collection; cf. above, n. 43. On the much better-known R. Hezekiah, see Urbach, *The Tosafists* (Heb.), ii. 561–5; Emanuel, *Shivrei luḥot*, 219–22; and Kanarfogel, 'The Appointment of *Hazzanim* in Medieval Ashkenaz: Communal Policy and Individual Religious Prerogatives', in B. Huss and H. Kreisler (eds.), *Spiritual Authority: Struggles Over Cultural Power in Jewish Thought* (Be'er Sheva, 2009), 7–20.

⁹⁶ See Kanarfogel, 'Between the Tosafist Academies and Other Study Halls'.

There are a number of such names recorded in the so-called tosafist Torah commentaries and, as we have noted, most of the compilers of these commentaries fall into the same category. It is possible to suggest that members of the secondary elite engaged in the compilation of the tosafist Torah commentaries as a means of providing a lay audience with selections of authentic tosafist material (on both biblical and talmudic texts, organized according to the order of the Torah portions), together with their own addenda and comments on this tosafist material. By the second half of the thirteenth century, the tosafist oeuvre was largely complete, but it was the product of small groups of elite scholars who interacted almost exclusively with each other.⁹⁷ The tosafist Torah commentaries opened this corpus to a wider audience during the middle of the thirteenth and the early fourteenth centuries, by providing a digest of tosafist materials and allowing its compilers and other participants to contribute their own insights and clarifications.

In any case, the lesser-known German and northern French rabbinic figures involved in this instance put forward a more miraculous (or supernatural) approach towards understanding what Abraham gave his progeny. Indeed, the interpretation of Rabbi Jacob of Monteux was perhaps suggested to modify this new direction. Interestingly, Nahmanides (Rabbi Moses ben Nahman, 1194–1270), whose mystical background and familiarity with the uses of divine names is well attested, does not pick up on this aspect at all. As noted, the *pashtanim* Rashbam and Rabbi Abraham ibn Ezra (1089–1164), among others, interpreted Abraham's gifts in a more literal and simple sense, as a form of compensation. Although the tosafist Torah commentaries begin here, as they often do, with a comment of Rashi (and its underlying talmudic origin), and Rashi's own awareness of the powers of divine names is clearly attested,⁹⁸ it was the comment of Rabbi Judah Hehasid and his approach that were adopted by the subsequent, lesser rabbinic figures in both France and Germany, and this is what becomes central within the tosafist commentaries here. As opposed to the rationalistic tendency of northern French *pashtanim* such as Rabbi Joseph Kara, and the Tosafists Rashbam and Rabbi Joseph Bekhor Shor, who try to minimize (even as compared to Rashi) the miraculous or supernatural nature of even those biblical events and phenomena that genuinely appeared to have such a dimension,⁹⁹ the tosafist Torah compilations typically

⁹⁷ On the small size of the tosafist study halls, see Kanarfogel, *Jewish Education and Society*, 65–8.

⁹⁸ See above, n. 81, and cf. M. Lockshin, *Rabbi Samuel ben Meir's Commentary on Genesis*, 128, who suggests that Rashbam's comment here is directed against Rashi's comment, which invokes the notions of sorcery and witchcraft.

⁹⁹ See e.g. S. Poznanski, *Introduction to Northern French Biblical Commentators* (Heb.), p. lxvii; *Perushei r. yosef bekhor shor al batorab*, ed. Y. Nevo, editor's introd., 15; Grossman, *Early Sages of France*, 318–20; Berger, 'The Torah Commentary of Rabbi Samuel ben Meir', 162–4; *Rabbi Samuel ben Meir's Commentary on Genesis*, ed. Lockshin, 155 n. 5; Moshe Sokolow, *Studies in the Weekly Parashah Based on the Lessons of Nehama Leibowitz* (Jerusalem, 2008), 48–9; Judith Kogel, 'L'Utilisation du midrash dans le'exégèse de la France du nord de Rashi aux recueils des Tossafistes', in Gilbert Dahan (ed.), *Les Brûlement du Talmud à Paris* (Paris, 1999), 145–50, 156.

move in the other direction. This approach may be another indication of the more popular dimension and the intended audience of their work.

VI

At the beginning of the Torah portion ‘Toledot’ (Gen. 25: 20), Rashi, following *Seder olam* (traditionally attributed to the *tana* Rabbi Yose bar Halafta), notes that Rebecca was 3 when she married Isaac, who, according to this verse, was 40 at the time. In almost identical passages, *Da’at zekenim* and *Hadar zekenim* question Rashi’s comment, on the basis of a passage in *Sifrei Deuteronomy* (towards the end of ‘Vezot haberakhah’), according to which Rebecca and Kehat were among those pairs of biblical figures who shared the same lifespan, in their case 133 years.¹⁰⁰ Based on calculations and reckonings of the milestones of her life, these tosafist compilations point out that if Rebecca was married at the age of 3, her life would have ended at the age of 122. The suggestion is therefore made that Rebecca was in fact 14 at the time that she married Isaac, thus restoring the missing eleven years to her lifespan. Indeed, both compilations also point to a better, or corrected, reading in the text of the *Seder olam* (*bakbi garsinan/bakbi ita*), that in fact records this age as the year of Rebecca’s marriage, and *Da’at zekenim* also cites this as an assertion (*vekben amar*) in the name of an otherwise unidentified Rabbi Judah. Both these tosafist Torah compilations also note that the passage in *Seder olam*, which indicates that Abraham received news of the birth of Rebecca upon his return from the binding of Isaac, should be understood to mean that Abraham was made aware at that point that Rebecca had been born ten or eleven years earlier and was by now at an optimal age for marriage, rather than as an indication that Rebecca was literally born at that time.¹⁰¹

Another problem with Rashi’s claim that Rebecca was 3, raised by both compilations, emerges from the Mishnah and talmudic discussion in Babylonian Talmud

¹⁰⁰ *Sifrei Deuteronomy*, ‘Vezot haberakhah’, §7 (*Sifre on Deuteronomy*, ed. Louis Finkelstein (New York, 1969), 429), and see also *Gen. Rabbah* 100: 10. *Sifrei* notes that Moses was one of four great sages who lived for 120 years (the others being Hillel, Raban Yohanan b. Zakkai, and R. Akiva), and also that there were six pairs of biblical and rabbinic figures who shared the same lifespan, Rebecca and Kehat, Levi and Amram, Joseph and Joshua, Samuel and Solomon, Moses and Hillel, and Raban Yohanan b. Zakkai and R. Akiva. *Sifrei* itself does not specify the ages of each pair (except for the last two, which were mentioned earlier in this section), but the numbers were derived by later rabbinic scholars on the basis of both biblical and midrashic texts. There are also some medieval textual variants on this passage. Indeed, texts of *Da’at zekenim*, as well as *Hizekuni*, include a third member, Ben Azzai, together with the pair of Rebecca and Kehat, who all lived for 133 years. See *Tosafot hashbalem*, ed. Gellis, iv. 5, §3, found also in MS Florence/Laurenziana Plut. II. 20, fos. 159–160^r. Cf. MS Jewish Theological Seminary (Lutzki) 794, fo. 2^v.

¹⁰¹ Once again, *Hizekuni* follows a very similar pattern of questions and responses to those found in *Hadar zekenim* and *Da’at zekenim*, and concludes by suggesting that there was a reading in the *Seder olam* (*vekben garsinan*) that Abraham was informed after the Akedah that Rebecca had been born eleven years before this event.

Ketubot (57a–b). The *sugya* there uses what was said about Rebecca by her family, ‘let the young girl [*na’arab*] remain with us for ten or twelve months’ (Gen. 24: 55), to derive the mishnaic ruling that a *na’arab* (defined as being between the ages of 12 and 12 and a half) is given a full year to remain with her family in order to make her preparations following *kidushin* (betrothal), after which she is required to come forward and enter into *nisuin* (marriage), while a *bogeret* (who is past the age of 12 and a half) is given only three months of preparation before she must accept *nisuin*. According to the view put forward by *Da’at zekenim* and *Hadar zekenim*, however, Rebecca was not herself a *na’arab* (or a pre-*na’arab*) but rather a *bogeret*, since she was 14. *Da’at zekenim* presents this question in the name of the otherwise unknown Rabbi Moses Solomon bar Abraham, ‘known as Ansiman’,¹⁰² but leaves it unresolved. *Hadar zekenim* omits this name, but provides an answer; these differences perhaps serve to confirm that *Hadar zekenim* is the later of the two roughly contemporary compilations. The allowance of a year for a *na’arab* to prepare may still be derived from Rebecca, since her family referred to her as a *na’arab*. Even though Rebecca was 14, her family believed that there was no difference between the time to be given to a 12-year-old and the time to be given to a 14-year-old; both were to be given a full year. Rebecca’s response according to the text of the Torah, that she was prepared to return to Isaac’s homeland immediately, was her response to this technical issue as well, in terms of how it applied to her. There was, in fact, a difference between a *na’arab* (which she was not) and a *bogeret* (which she was), and she therefore replied that she would leave immediately, since she did not have such a long period to remain with her family in order to complete her preparations prior to *nisuin*.¹⁰³

There is a lengthy tosafist literary history behind all of these various comments and nuances. Before proceeding to trace that history, however, it is important to note that the subsequent comments in this instance may have been triggered by Rashi’s comment about Rebecca’s age, on the verse about Isaac’s age at marriage. For Rashi as well, this was not so much of a local exegetical problem in this verse as much as an appreciation of the larger picture within the biblical narrative, both at this point and in future scenes. In the hands of the Tosafists, as the comments of *Da’at zekenim* and *Hadar zekenim* suggest and as we shall soon see, the discussion is broadened even further to include not only the rectification of rabbinic texts that had already been included in this discussion, such as *Seder olam*, but a number of other talmudic and rabbinic texts as well, whose connections are somewhat less direct. I thus cannot rule out the possibility that the discussion here emerged

¹⁰² אַנְסִימָאן; cf. *Da’at zekenim* on Gen. 9: 6 (fo. 9a), for a passage with respect to an episode of martyrdom that records an observation of the otherwise unknown אֲוֹכְמֵן הַמְכֻוֹנָה אוֹכְמֵן. On this passage, see Kanarfogel, ‘Halakhah and Metziut (Realia) in Medieval Ashkenaz: Surveying the Parameters and Defining the Limits’, *Jewish Law Annual*, 14 (2003), 205 n. 38, and 213 n. 59. See also the reference to a R. Zussmann (along with R. Isaac Fuller) in MS British Library Or. 9931, fo. 123^v, and cf. above, n. 93.

¹⁰³ See *Da’at zekenim*, ‘Genesis’, fo. 24a (and cf. *Tosafot hashalem*, ed. Gellis, vol. iii (Jerusalem, 1984), 5, §3), and *Hadar zekenim*, fo. 10a.

initially from the context of talmudic or rabbinic texts, even as Rashi's biblical comment continues to hover over this discussion.

The earliest tosafist source to deal with this issue appears to be the Torah commentary (noted above) that has been associated with Rabbenu Tam's study hall. The discussion there begins with the observation found in *Seder olam*, that Abraham learned on his return from the binding of Isaac that Rebecca had been born, and waited three years (until she would be at least physically marriageable) to have Isaac marry her. This reading of *Seder olam* is then questioned, on the basis of a talmudic passage in Babylonian Talmud *Yevamot* 61b. The Talmud there connects the halakhic status of a *betulah* (virgin) with that of a *na'arah* (i.e. a *betulah* is presumed to be at least 12 years old), on the basis of a verse that describes Rebecca (Gen. 24: 16), 'the young woman [*na'arah*] was very beautiful, and she was a virgin [*betulah*]'. Accordingly Rebecca must have been substantially more than 3 when her marriage was being arranged. In order to solve this problem, the Torah commentary attributed to Rabbenu Tam's study hall then moves to suggest, on the basis of the passage in *Sifrei Deuteronomy* (that Rebecca and Kehat both lived for 133 years), that Rebecca was actually 14 when she was married (the chronology of her life is then fully calculated, in order to show how this determination squares with all of the other numbers), and the text of *Seder olam* should be, or was, emended accordingly.¹⁰⁴

Moreover, this approach is confirmed on the basis of another talmudic passage in *Yevamot* 64a, which discusses the amount of time that a man should wait for his barren wife to give birth. Although the ten-year model, based on the lives of Abraham and Sarah, is the one which the Talmud favours, a twenty-year model based on the lives of Isaac and Rebecca is also discussed by the Talmud. Isaac was married at 40, and Rebecca gave birth to their twins when Isaac was 60. This model, however, does not make sense if Isaac married Rebecca when she was 3 (and he was 40), since a woman is not expected to be able to have a child until she is at least 12. Isaac would thus not have been waiting for her to give birth for twenty years, but only for a bit more than ten. If, however, Rebecca was 14 when they married, the model of a twenty-year waiting period is securely based.¹⁰⁵

¹⁰⁴ Both *Da'at zekenim* and *Hadar zekenim* arrive at the fact that Jacob received the blessings from Isaac at the age of 63 by referring to Rashi on the Torah portion 'Toledot' (Gen. 28: 9), who develops this calculation at length. The present tosafist passage arrives at its numbers in a different way, based in part on a *sugya* in tractate *Megilah* (17a), to which Rashi on 'Toledot' also refers, as does Rashi on Gen. 25: 17. Indeed, the various northern French and German rabbinic figures arrived at their specific calculations in different ways; cf. *Hizekuni* on Gen. 25: 20. On the age of Rebecca at the time of her marriage (and her age at the Akedah) according to *Seder olam* and its variants, see C. J. Milikowsky, 'Seder 'Olam: A Rabbinic Chronography', Ph.D. diss., Yale University, 1981, 21. Ibn Ezra (on Gen. 22: 4) famously suggests (from a rationalistic perspective, *miderekh sevara*) that Isaac was around the age of 13 at the time of his binding (acknowledging that *Seder olam* places his age at 37). Although Ibn Ezra expresses other considerations, and notes that some suggested that Isaac was only 5 years old, one wonders whether the fact that Isaac is referred to in this episode as a *na'ar* ('a youth'; Gen. 22: 5) played a role in the development of these different views.

¹⁰⁵ See MS Paris 167, fos. 55^{r-v} (cited in *Tosafot hashalem*, ed. Gellis, iii. 6, §4), and the parallel MS Moscow 362, fo. 128^{r-v}. In the Paris manuscript, the emendation of the *Seder olam* text is not clearly

Much of the material produced in these *Da'at zekenim* and *Hadar zekenim* passages can be found in this commentary associated with the students or study hall of Rabbenu Tam, but there are other, earlier, Ashkenazi texts that must also be considered as contributing sources to the later tosafist Torah compilations. As noted, the *Da'at zekenim* passage refers to a Rabbi Judah, who explicitly states that Rebecca was 14 years old. In both the Moscow and Cambridge manuscripts of Rabbi Judah Hehasid's comments on the Torah,¹⁰⁶ at the end of 'Haye Sarah' (Gen. 25: 17), the commentary introduces a passage very similar to *Sifrei Deuteronomy*, stating that Ishmael, Levi, and Amram lived 137 years, followed by Rebecca and Kehat, who lived 133 years. This passage arrives at the calculation that Rebecca was 14 when she was married, based on her lifespan and the lives of Jacob and Ishmael, although the details and focus differ slightly from those of the texts just analysed, and there are no explicit references to *Sifrei Deuteronomy*, *Genesis Rabbah*, or any of the talmudic *sugyot* noted thus far.¹⁰⁷

Nonetheless, the material in Rabbi Judah Hehasid's Torah commentary shares common ground and even a degree of connection with the Tosafot passage on *Yevamot*, on the *sugya* which suggests that Rebecca herself was a 12-year-old *na'arah* and not a younger girl. The standard Tosafot there begin by citing *Seder olam's* claim that Rebecca was 3, and then present the view of Rabbi Samuel Hehasid of Speyer (b. 1115), the father of Rabbi Judah Hehasid and a contemporary of Rabbenu Tam, that Rebecca was in fact 14. Rabbi Samuel bases his view on the list of the ages of various biblical couples in *Sifrei Deuteronomy* and the full accounting of Rebecca's life that flows from there, which shows that this approach was pursued in both northern France and Germany at this time, as Rabbi Judah's own comments indicate. As with the position noted above in connection with Tosafot on *Bava metsia* 86a, on the issue of whether the angels who appeared to Abraham actually ate, the standard Tosafot conclude that there are conflicting midrashic approaches at work here, and that the talmudic passage at hand and the seemingly contradictory *Seder olam* represent these two distinct and different midrashic traditions.¹⁰⁸ Not surprisingly, this was also the response of the standard Tosafot later in *Yevamot*,

indicated, since there appears to be a word missing: *vetzarikh [lomar]*. The suggested emendation is made quite clear, however, in the Moscow manuscript version. It is interesting to note that Rashbam includes here the idea that Rebecca was barren for twenty years. Rashbam apparently wants to show support for the twenty-year period found in the Talmud, especially since Rashi supported the ten-year period. See *Rabbi Samuel ben Meir's Commentary on Genesis*, ed. Lockshin, 130–1. Clearly, the nexus between *peshat* and talmudics in Rashbam's commentary on the Torah is not completely severed.

¹⁰⁶ MSS Moscow 82 and Cambridge 669.2 are two of the three best manuscripts in this regard, although neither contains the direct *reportatio* of R. Moses Zalman in this instance.

¹⁰⁷ See *Perushei batorah lerabi yehudah hehasid*, 35–6 (and cf. esp. n. 69). See also *Perush haroke'ah al batorah*, ed. Klugmann, i. 177–8 (on the end of the Torah portion 'Vayera'), and *Perushei batorah lerabi hayim palti'el*, ed. Lange, 66–7.

¹⁰⁸ See Tosafot on *Yev. 61b*, s.v. *vekhen*. The standard Tosafot also cite R. Judah Hehasid by name. See Tosafot on *BM 5b*, s.v. *vehashid*, and Tosafot on *Ket. 18b*, s.v. *vekhule*. Cf. Urbach, *The Tosafists* (Heb.), i.

and detail, *Da'at zekenim* and *Hadar zekenim* succeed in effectively presenting talmudic *sugyot* and midrashic analysis to their reading audiences on the larger issue of the chronology of the patriarchs, which had roots and ramifications in both biblical and rabbinic literature.

VII

The Torah writes that 'Esau returned from [hunting in] the field and he was exhausted' (Gen. 25: 29). Rashi, on the basis of *Genesis Rabbah*, explains that Esau was tired from the murders that he had committed, as per the verse in Jeremiah 4: 31, 'my soul was tired from the killings'. The presence of this language in the book of Jeremiah gives the *Genesis Rabbah* passage the quality of an *agadab hameyasbevet divrei mikra* (one of Rashi's key exegetical criteria as enunciated in his comment on Genesis 3: 8), and that is how Rashi uses it here.¹¹³

Once again, both *Da'at zekenim* and *Hadar zekenim* pick up on Rashi's approach, but they also turn to *Genesis Rabbah*, in addition to the Talmud and other *midrashim*, in order to provide a fuller midrashic context for Esau's involvement in murder. Esau's target had been Nimrod, whom he succeeded in killing on that very day. This scenario is the result of an amalgamation of the passage in *Genesis Rabbah* towards the beginning of 'Toledot' that Rashi had cited, and another passage in *Genesis Rabbah* (65: 16) on a verse found later in this portion (Gen. 27: 15), which Rashi also cites, but only at that point.¹¹⁴ According to *Da'at zekenim*, when Esau started out as a hunter, he found his main competitor to be Nimrod, who was extremely successful at hunting. Moreover, Nimrod asserted that only he could conduct hunts, and he challenged Esau to a battle. Esau consulted Jacob, who explained that as long as Nimrod was wearing his 'choice garments' (*begadav bahamudot*), Esau would not be able to defeat him. If, however, Esau could get Nimrod to remove these garments, he could then defeat him. Esau did so and then killed Nimrod, which in turn contributed to Esau's physical and moral exhaustion, as per the verse in Jeremiah.¹¹⁵

indicated above, n. 43). It is more than likely, however, that the initials *resh-yod* refer here either to R. Judah Hehasid or to R. Isaiah di Trani (see above, nn. 107 and n. 111). Similarly, *Moshav zekenim* (ed. Sassoon, 36) records this question in the name of the French compilation *Sefer hagan* (and see also *Tosafot bashalem*, ed. Gellis, iii. 4–5, §2, and *Perushei hatorab lerabi hayim palti'el*, ed. Lange, 66 n. 17), although this passage does not appear in either of the two main manuscripts of that work (MS Vienna 28, or MS Nuremberg 5).

¹¹³ See *Gen. Rabbah* 63: 12, and cf. *Rashbam's Commentary on Deuteronomy*, ed. Lockshin, editor's introd., 5.

¹¹⁴ See *Midrash Bereshit Rabba*, ed. Theodor and Albeck, 727.

¹¹⁵ *Da'at zekenim*, 'Genesis', fos. 25a–b:

שאותו היום הרג נמרוד שנלחם עמו כי כאשר התחיל עשו לצוד בשדה מצאו נמרוד שהיה גבור ציד ואמר לו שאין שום אדם רשאי לצוד בשדות אלא הוא ולקחו יום מלחמה ונטל עצה מיעקב ואמר כל זמן שהיה נמרוד לבוש בגדיו החמודות לא תוכל לו. אך תאמר לו שיפשיטם אז תוכל לו וכן עשה והרג נמרוד. ולכן אמר כי עיף אנכי דכתיב כי עיפה נפשי להורגי'.

See also M. M. Kasher, *Torah shelema*, iv. 1033.

Similarly, *Da'at zekenim* interprets the later verse, 'And Rebecca took her older son Esau's choice garments [*bigdei esav . . . bahamudot*] which were with her in the house, and clothed her younger son [Jacob, Gen. 27: 15]', to mean that Esau had taken them (*hamdan*) from Nimrod (as per *Genesis Rabbah*). However, these garments were at the same time special (*hamudin*), since images of all the animals, beasts, and birds were vividly depicted on them. Other creatures were attracted to these vivid scenes, in which the various animals appeared to be alive, so that when Esau was in the field, animals and birds came to him and allowed themselves to be captured.¹¹⁶ This last description comes from *Pirkei derabi eli'ezer*, chapter 24. Rashi, citing the second *Genesis Rabbah* passage, describes how Esau took Nimrod's hunting garments, but he does not refer to Esau killing Nimrod over them, nor does he cite the related description in *Pirkei derabi eli'ezer*. As opposed to *Da'at zekenim*, Rashi's comments on the portion 'Toledot' characterize Esau as a depraved and immoral individual who even engaged in murder, but he does not link Esau's murderous activities specifically to Nimrod. Interestingly, in one place in his talmudic commentary, Rashi does refer to Esau killing Nimrod over his hunting garments, which renders the absence of this detail in his Torah commentary even more telling.¹¹⁷

Hadar zekenim, after beginning with Rashi's comment on the cause of Esau's exhaustion (albeit without mentioning Rashi by name), cites a fuller version of the passage in *Genesis Rabbah*, on the multiple sins committed simultaneously by Esau, that appears in the name of Rabbi Yohanan in Babylonian Talmud *Bava batra* 16b. The *Genesis Rabbah* text initially lists two sins: murder and illicit relations with a betrothed woman, and then adds theft.¹¹⁸ The talmudic *agadah* details five crimes or sins that Esau committed on the very same day (adding two that were essentially against God rather than against man), which occasioned his great exhaustion. These include having relations with a betrothed woman, murder, denying God, denigrating and dismissing his status as a first-born son, and theft. *Hadar zekenim* reproduces

¹¹⁶ *Da'at zekenim*, 'Genesis', fo. 26b:

שחמדן מנמרוד וחמודין היו שהיו מצויירין עליהם כל החיות והעופות שבעולם ונראין
אלו הן חייין וכשהיה בשדה היו החיות והעופות באין אצלו וניצודין מאליהן.

See also *Tosafot hashalem*, ed. Gellis, iii. 64, §3.

¹¹⁷ See Rashi on *Pes.* 54b, s.v. *bigdo shel adam barishon*:

שהיו חקוקות בו כל מין חיה ובהמה והוא נמסר לנמרוד על כן יאמר כנמרוד גבור ציד
[בראשית, י ט]. ועשו הרגו ונטלו לפיכך היה איש ציד והן [צ"ל והוא] שכתוב בהן
החמודות אשר בבית [בראשית, כז טו]. ואני שמעתי בגדי של אדם הראשון היינו
כתנות עור שהיו לו.

It should be noted that the specific element of animal figures, which were vividly sketched (חקוקות or מצויירין) as a way of drawing his prey to Nimrod, is not found in the passage from *Pirkei derabi eli'ezer*, and may have originated with Rashi himself.

¹¹⁸ Like the published edition of *Hadar zekenim*, MS Oxford/Bodleian Marsh 225 (among other manuscript texts) refers to the talmudic passage as a *midrash* (*veyesh bamidrash*), due in all likelihood to the several basic commonalities between these two rabbinic sources. See *Tosafot hashalem*, ed. Gellis, iii. 27, §5.

the talmudic derivations of all of these crimes from Genesis 25: 29, and concludes with Jacob's advice to Esau on how to defeat Nimrod. The special garments that Nimrod wore were originally the clothing worn by Adam (as per *Pirkei derabi eli'ezer*). Esau was instructed to tell Nimrod to remove them as a pre-condition to their battle. When Nimrod did so, Esau came and put them on deceitfully, and then arose and slew Nimrod (as per the second *Genesis Rabbah* passage), which was the main cause of Esau's tiredness that day. *Hadar zekenim* also includes a formulation which describes the tiredness of Esau as akin to the deep tiredness that hunters feel when 'they wander around the woods for four or five days and feel that they might die from the great hunger and thirst that envelops them'.¹¹⁹

Similarly, in commenting on Genesis 27: 15, *Hadar zekenim* initially indicates that the special clothes of Esau were the clothing that the Almighty had used to clothe Adam. These were akin to priestly vestments, since Adam was the first-born of the world, and the first-born were initially meant to perform the sacred cult (*avodah*). These vestments came to Esau from Nimrod. After noting that Eve was also clothed by the Almighty, which suggests that this clothing was not the same as the special priestly vestments of the first-born, *Hadar zekenim* turns to the *Genesis Rabbah* passage that defines the clothes as having been taken from Nimrod by Esau. Esau had undoubtedly taken them because of their special properties. The figures of the animals and birds that were drawn upon them appeared to be alive and attracted other animals to them and thus to the hunter, as described in *Pirkei derabi eli'ezer* and amplified by Rashi.

Hadar zekenim concludes by noting that, according to the first midrashic approach—that these were the vestments of the first-born—it is clear why Rebecca placed them on Jacob. In this way, Jacob could perform the appropriate *avodah* of the season through his parental service, since according to rabbinic tradition, Jacob received the blessings from Isaac on Passover. According to the second midrashic approach, however—that these garments had been taken from Nimrod by Esau and were a special aid in hunting—why did Rebecca insist that Jacob don them when serving Isaac? *Hadar zekenim* suggests that this was done in order to present Jacob to Isaac in the full and precise image of Esau, including his special hunting

¹¹⁹ *Hadar zekenim*, fo. 10b:

הוא עיף. מן הנפשות שהרג כמו שנאמר כי עיפה נפשי להרוגים. ויש במדרש ה' עבירות עבר אותו רשע באותו יום בא על נערה המאורסה הרג נפש כפר בעיקר בזה הבכורה וגנב. ונפקא להו בגזירה שוה נאמ' כאן ויבא עשו ונאמר להלן אם גנבים באו נאמר כאן שדה ונאמר להלן ואם בשדה ימצא האיש וכו'. הרג נפש דכתי' עיף כדפי'. והיה עשו חלש כל כך שלא יכול להגיע ידו לפיו כדרך ציידים שתועים ביערים ד' ימים או ה' ימים והם יגיעים ומתים כמעט ברעב ובצמא וכו'. ואותו יום הרג את נמרוד שנלחם עמו כי כשהתחיל עשו לצוד בשדות בא נמרוד וכו'. ואמר מי הרשהו לצוד בשדות בלא רשותו. סוף דבר לקחו זמן ויום נועד להלחם יחד, בא עשו ונתיעץ עם יעקב. א"ל יעקב כל זמן שיש לנמרוד בגדי אדם הראשון לא תוכל לו. אך תאמר לו שיסירים מעליו ותלחם עמו וכן עשה וכשהפשיטם נמרוד בא עשו וילבשם במרמה וקם והרג נמרוד ולפיכך היה עשו עיף כדכתיב עיפה נפשי להרוגים.

clothes.¹²⁰ Moreover, *Hadar zekenim* sees Esau's statement, 'behold I am going to die' (Gen. 25: 3), as a function of his impending battle with Nimrod, and the power of Nimrod and his garments as reflected in the various midrashic strands.¹²¹ In short, both *Da'at zekenim* and *Hadar zekenim* join and conflate a series of *midrashim* in presenting their interpretations. Various tosafist Torah comments focus on the number and scope of Esau's sins, as enumerated by the aggadic passage in *Bava batra*.¹²² This is not, however, a significant factor in the passage in *Da'at zekenim*, although *Hadar zekenim* does include this discussion before linking Esau to the killing of Nimrod over his hunting garments.

Even for *Hadar zekenim*, however, the focus is not so much on the litany of Esau's sins in the talmudic passage as about weaving this passage together with a series of *midrashim*, as well as Rashi's comments, in order to create an overarching story about Esau and Nimrod that spans much of 'Toledot'. This approach links the villainous Esau with the equally heinous Nimrod, who is characterized by Rashi on Genesis 10: 9 (towards the end of the portion 'Noah', where Nimrod is described as a 'mighty hunter', *gibor tsayid*), following *Genesis Rabbah* 37: 2, as one who 'captured the minds of other people through suasion, by which he tricked them into rebelling against the Almighty'. The only explicit scriptural cue that connects Esau to Nimrod is the fact that Nimrod is referred to as a *gibor tsayid*, while Esau is characterized as an *ish yode'a tsayid* (lit. 'a man who knows hunting', Gen. 25: 27). At first blush, however, it would seem that these two biblical figures lived several generations apart. *Da'at zekenim* and *Hadar zekenim* bring them together in both time and (negative) purpose.

Rashbam, Rabbi Joseph Bekhor Shor, and *Sefer hagan* all offered *peshat* interpretations or definitions of the nature of Esau's special clothes that reflect

¹²⁰ *Hadar zekenim*, fo. 11b:

והם הבגדים שהלביש הקב"ה לאדם הראשון . . . ובגדי כהונה הלבישו לפי שהיה בכורו של עולם ועבודה בבכורות ובאו ליד עשו מיד נמרוד. וקשה דלחוח נמי עשה בגדים כדכתיב לאדם ולאשתו כתנות אור. א"כ משמע שמלבושיהם שיום. לכך נראה כמדרש אחר החמודות שחמדן מנמרוד, וחמודים היו לפי שהיו מצויירם בהם כל מיני חיות ועופות ודומה כאלו הן חיים והיו עופות וחיות באים אצלו מעצמן כשראו הבגדים וקשה למה הלבשה אותם יעקב בשלמא למדרש ראשון הלבשהו לעבוד עבודה ב"ט פסח. אבל למדרש שני קשה. ונראה טעמא לפי שרצתה להכירו לגמרי בדמיון עשו.

¹²¹ *Hadar zekenim*, fos. 10b–11a:

המדרש אומר שפעם אחת הלך עשו לצוד חיות ועופות וראה רץ לפניו וירץ אחריו ומצא נמרוד. וא"ל למה אתה צודה ביער שלי אני רוצה להלחם עמך ולקח זמן להלחם עם עשו. בא עשו ולקח עצה מיעקב ויעץ לו כפי' לעיל. והבגדים היה להם כח כ"כ שהחיות רעות באות ומסייעות אותו ושהיה לבוש הבגדים. ועל פי מדרש זה אמר עשו הנה אנכי הולך למות כי יש לי יום נועד למחר להלחם עם נמרוד ואין לי כח להלחם כנגדו. ומה אנכי חושש מהבכורה. מדרש זה אינו כמו שפי' לעיל והוא עיף לפי שהרג נמרוד דאדרבה נראה שעדיין לא הרגו. עוד י"ל הנה אנכי הולך למות כלו' בכל יום ובכל שעה אני הולך במקום סכנה.

Cf. Kasher, *Torah sbelemab*, iv. 1035.

¹²² See MS Paris 167, cited in *Tosafot bashelem*, ed. Gellis, iii. 28, §6 (and n. 2); MS Moscow 362, fos. 128^v–129^v; MS Oxford/Bodleian Opp. 31, fo. 41; *Perushei hatorah lerabi hayim palti'el*, ed. Lange, 70; and *Moshav zekenim*, ed. Sassoon, 39. See also *Bereshit Rabba*, ed. Theodor and Albeck, 695; and Kasher, *Torah shelemab*, iv. 1031.

either Esau's relationship with his father Isaac (for Rashbam, '[Esau] always served his father meals in them'), or that reflect the common practice of hunters to have two sets of clothes, one set worn while hunting and another, clean and more fashionable, that was worn in the presence of other people. Both Bekhor Shor and *Sefer bagan* note that occasionally Esau wore his finer garments in the field too (or changed into them immediately upon his return), and so they carried a scent of the field as well.¹²³ None of these interpretations, however, refers to Nimrod's garments in the way that *Da'at zekenim* and *Hadar zekenim* do (and as Rashi had), although Rashbam's approach can also be located in *Genesis Rabbah*, alongside that of Rashi.¹²⁴

Moreover, both Bekhor Shor and *Sefer bagan* interpret the phrase *vehu ayef* ('and he was tired,' Gen. 25: 29) according to the typical routine of hunters: 'It is the way of the hunters to become extremely tired when they pursue the animals of the wild. Sometimes they roam the forests for three or four days, until they reach the "gates of death" because of their hunger and thirst. This is what occurred to Esau.'¹²⁵ We should recall that this description of the hunter is also recorded in *Hadar zekenim*, in the midst of a section on Esau's depraved behaviour and his vendetta against Nimrod.¹²⁶ For *Hadar zekenim*, this was just a passing observation, taken from the oft-cited commentary of Bekhor Shor (or perhaps from *Sefer bagan*).¹²⁷ For Bekhor Shor and *Sefer bagan*, however, this expression of the realia of the hunters' life is the essential (*pesbat*) interpretation of this verse.¹²⁸

Against the approach of these *pashtanim*, and against even the midrashic approach of Rashi, *Da'at zekenim* and *Hadar zekenim*, no less carefully and in full accordance with their own overarching methodology, build a midrashic structure that transfers and joins midrashic sources at both ends of 'Toledot'. The result is that the midrashic theme linking Nimrod and Esau is brought to the fore, and the protracted attempt to subvert the garments (and the service) of Adam runs through both of these hunters. Esau and Nimrod were also both beneficiaries of a

¹²³ See *Tosafot hashalem*, ed. Gellis, iii. 64, §4 (Bekhor Shor), §6 (Rashbam), and §7 (*Sefer bagan*, ed. Orlian, 173).

¹²⁴ See *Rabbi Samuel ben Meir's Commentary on Genesis*, ed. Lockshin, 154 n. 2.

¹²⁵ See *Perushei r. yosef bekkhor shor al hatorah*, ed. Y. Nevo, 43, 181; *Sefer bagan*, ed. Orlian, 171; and *Tosafot hashalem*, ed. Gellis, iii. 28, §8. This explanation is undoubtedly linked to the phrase in Gen. 25: 32, 'behold I am going to die' (ostensibly due to his great hunger and thirst). See also above, n. 122.

¹²⁶ See above, n. 119.

¹²⁷ See also *Perushei r. yosef bekkhor shor al hatorah*, ed. Y. Nevo, 43 n. 14, who lists several other tosafist Torah commentaries, both published and in manuscript, that include this description, and see also *Hizekuni* on Gen. 25: 29. This supports the observation of Japhet, 'Hizekuni's Commentary' (Heb.), 107, that the tosafist Torah compilations did retain references to *pesbat* as well.

¹²⁸ Rashbam does not comment on the phrase *vehu ayef*, perhaps because Esau's tiredness was perfectly understandable as a normal result of the great physical exertion demanded by hunting. He does, however, refer to the danger inherent in hunting wild animals in the forests (specifically mentioning lions and bears, if not tigers) in his comment on Gen. 25: 32, 'behold I am going to die'. Citing his father, R. Meir, Rashbam suggests that this pursuit caused Esau's life to be constantly at risk.

miraculous set of garments that augmented their earthy natures, and made them very powerful adversaries. Defining the enemies of the heroes of the Torah in very clear terms, and giving them an array of supernatural powers, further advances the goal of the tosafist Torah commentaries to appeal to a more popular readership and mindset. Nonetheless, the transference and presentation of a series of midrashic texts that are not always so obviously related, and that sometimes generate conflicts between them which must then be resolved, bespeaks rabbinic scholars who are well versed in this literature and possess a fair degree of creativity and intellectual consistency. The tosafist Torah compilations are not simply collections of *midrashim* that amass such texts irrespective of whether there is any relationship between them. On the contrary, it is precisely the deft handling of the midrashic material that allows these interpretations to be presented as worthy alternatives to those of Rashi and the earlier tosafist *pashtanim*. The broader and more complete picture that is presented, and the interesting and authentic rabbinic texts on which it is based, surely appealed to a different audience from that of the *pashtanim*, and was undoubtedly appreciated and understood by some as a positive extension or expansion of Rashi's exegetical methodology.¹²⁹

VIII

When Joseph returned to the house of Potiphar, none of the household staff was there (*ve'ein ish me'anshei babayit sham babayit*). Seizing this opportunity, the wife of Potiphar makes her advance on Joseph (Gen. 39: 11–12). *Hadar zekenim* notes that a *peshat* approach understands the phrase 'none of the household staff was there' to mean simply that Joseph was alone in the house with Potiphar's wife. Rabbi Isaac (Ri) of Evreux interprets, however, that Joseph's 'manhood was removed'. The phrase *ein ish*, literally 'there is no man', according to this approach, connotes that Joseph was 'not a man'. As Rabbi Isaac explains, Joseph's reproductive organ became suddenly and miraculously covered or otherwise ineffective, thus preventing him from sinning with Potiphar's wife.¹³⁰ Neither the published version of *Hadar*

¹²⁹ On Rashi's more limited approach to Nimrod, cf. N. Leibowitz, *Iyunim besefer shemot*, 512–13, and M. Berger, 'The Torah Commentary of Rabbi Samuel ben Meir', 200–1. On Rashi's considerations in moving (or not moving) *midrashim* to verses other than where they were originally introduced, cf. Leibowitz, *Iyunim besefer shemot*, 518–22.

¹³⁰ *Hadar zekenim*, fo. 18b: והר"י מאיור"א ר"א הפשט שלא היה בבית רק יוסף. מפרש מלמד שבדק עצמו ומצא שאינו איש שבאותה שעה נוטל זכרותו למונעו מן החטא ואין איש. בדק את עצמו ולא מצא את. The beginning of the passage in *Gen. Rabbah* 87: 7 (Theodor–Albeck edn., 1072–3) reads: וצמו איש. This *midrash* then offers three rabbinic interpretations of this somewhat enigmatic passage, each supported by verses that testify to Joseph's resolve, specifically in the terms being suggested: אמר ר' שמואל [בר נחמני] נמתחה הקשת וחזרה. ר' יצחק אמר נתפזר זרעו ויצא דרך צפורניו. ר' הונא אמר איקונין של אביו ראה ונצטנן דמו. R. Isaac of Evreux's interpretation matches none of these views exactly. It is either his own understanding of the initial phrase in *Genesis Rabbah*, or it is perhaps his adaptation, in more graphic and miraculous terms, of Joseph's sudden inability to function sexually, according to the first interpretation in the *midrash* (by R. Samuel). On the presentation of both *peshat* and *derash* in this pas-

zekenim, nor any identifiable manuscript source of this tosafist Torah compilation, notes the fact that Rabbi Isaac of Evreux's interpretation is an extension of a passage in *Genesis Rabbah*.¹³¹

This same interpretation, that Joseph checked himself and found that his manhood had become covered and rendered ineffective, headed by an attribution to an unnamed *midrash*, is found in a variant Tosafot comment on the Talmud, the so-called Tosafot Evreux on *Sotab*. These Tosafot were composed in the study hall of Rabbi Isaac of Evreux and his brothers, Rabbi Moses and Rabbi Samuel ben Shene'ur of Evreux, in the mid-thirteenth century, and this comment comes at a point where an aggadic passage in the Talmud is discussing Joseph's actions in the house of Potiphar.¹³² What we have here, then, is a talmudic interpretation from Evreux that was taken into a tosafist Torah commentary, as well as yet another significant use of *Genesis Rabbah* by a Tosafot text on the Talmud. Whether or not Rabbi Isaac of Evreux had a text of *Genesis Rabbah* that actually read this way, or whether this is his own extension or explanation of the midrashic text, the commitment of this tosafist *beit midrash* to the study and interpretation of *Genesis Rabbah*, and its incorporation into both biblical and talmudic interpretation, is once again evident.¹³³ In this instance, it is the Tosafist Rabbi Isaac of Evreux himself who

sage in *Hadar zekenim*, cf. Japhet, 'Hizekuni's Commentary' (Heb.). *Sotab* 36b records these three opinions, in the name of other *amora'im*, but combines them in a different way. Tosafot on *Sot.* 36b, s.v. *be'otab*, presents R. Moses Hadarshan's interpretation of Joseph's response, which follows the psychological approach, that Joseph saw the image of his father's face before him and was unable to sin.

¹³¹ See *Tosafot hashalem*, ed. Gellis, iv. 97, §9, and cf. Kasher, *Torab shelemab*, vi. 1501. The name of R. Isaac of Evreux is cited in full in MS Vatican 48, fo. 35^v, and MS Moscow 268, fo. 81^v. MS British Library Add. 22,092, fo. 40^r, MS Jewish Theological Seminary 791, fo. 40^r, and MS Moscow 898, fo. 29^v, cite this passage in the name of Ri of Evreux, and MS Munich 50, fo. 82^v, reads מה"ר מאיברא וה"ר.

¹³² See *Tosefot evreux al masekhet sotab*, ed. Ya'akov Lifshitz (Jerusalem, 1969), 100 (on *Sot.* 36b, s.v. *ve'ein ish me'anshei babayit*): יש במדרש שבדק יוסף את עצמו ולא מצא מעשה של איש, שלא היה לו מילה שמצא את עצמו טומטום.

¹³³ In his comments on the Tosafot Evreux passage cited in the above note, Y. Lifshitz suggests (p. 100 n. 88) that since R. Isaac of Evreux's interpretation is not found so clearly in the *midrash*, this passage should perhaps begin with the phrase *yesh lefaresh* (it should be interpreted) rather than *yesh bamidrash* (it is found in the Midrash). Such an emendation, however, aside from not being indicated on any other level, fails to take into account the strong affinity that the tosafist academy at Evreux had for *Genesis Rabbah* and its interpretation. Although the piece about Joseph and the wife of Potiphar derives from Tosafot Evreux (and R. Moses of Evreux is cited by name four times in *Sefer hagan* and had contact with the compiler of this work, R. Aaron Hakohen; see above, n. 37), this interpretation is not found in *Sefer hagan*, perhaps because of its more overtly miraculous nature (although cf. below, n. 139). Kasher (above, n. 131) presents this passage in the name of *Tosefot sbants lesotab* (36b). Although R. Hayim Joseph David Azulai (Hida, d. 1806) thought that this collection of Tosafot was indeed Tosafot Sens (Hebr. *sbants*), Lifshitz (*Tosefot evreux al masekhet sotab*, editor's introd., 9–14, following the approach of Y. N. Epstein and others) demonstrates that these are the later Tosafot Evreux. R. Moses of Evreux evidently studied with R. Samson of Sens and R. Samuel with Samson's brother, R. Isaac (Rizba). See Urbach, *The Tosafists* (Heb.), i. 480, and see also *ibid.* 291–2. Urbach suggests there that a passage from Tosafot Sens on tractate *Sotab* (which may not otherwise be extant) is cited by R. Judah b. Eliezer in his *Minhat yebudah*, on the Torah portion dealing with the laws of the *sotab* ('Naso', fo. 3b, s.v. *ve'amrah ha'ishab, kakh piresh*

favours a more miraculous and dramatic perspective on the biblical episode, and not merely the compiler of the tosafist Torah commentary that cites this interpretation alongside the *peshat*. Indeed, in this situation, Rashi also favours the non-miraculous, psychological approach.¹³⁴

In the Song of the Sea (Exod. 15: 8), the Torah characterizes the water as being piled up or heaped (*ne'ermu mayim*). Rashi, following Onkelos, interprets the word *ne'ermu* as a form of *armimut*, or cleverness. The cleverness of the water is understood by some to mean that it arranged itself in a way that would fool the Egyptians into entering the sea, or that it covered only the Egyptians and not the Jews.¹³⁵ In any case, Rashi also puts forward an even more *peshat*-like approach. According to 'the sense of clarity of the verse', *ne'ermu* is akin to the phrase in a verse in the Song of Songs (7: 3), 'a pile of wheat' (*aremat hitim*), as demonstrated also by the phrase in Exodus, *nizvu kemo ned nozlim*, that the running water stood straight as a wall. *Hadar zekenim* (without mentioning Rashi by name, as was often its wont) *combatosefot shants*). Note that Tosafot Sens on *Sanhedrin* is cited by *Minhat yehudab* (on the Torah portion 'Mishpatim', fo. 32b, s.v. *vegunav*, *veshu'v matsati betosefot shants*), and R. Samson himself is cited twice (as R. Samson b. Abraham) by *Minhat yehudab* on 'Bereshit'; see H. Touitou, 'Minhat yehudab', 80. *Minhat yehudab* also cites Tosafot Touques several times, referring to it usually as *שיטת תוך* (see e.g. 'Yitro', fo. 24a, s.v. *beyu nekbonim*; 'Ki tisa', fo. 44a, *ki boshesh*, and fo. 45b, s.v. *vayashlekh*), and once as *לשון ר' אליעזר מתר"ך* ('Tazria', fo. 12b, s.v. *bekarabto*).

¹³⁴ See Rashi on Gen. 39: 11, and cf. above, n. 98; *Tosafot bashalem*, ed. Gellis, iv. 97, §10; and above, n. 129. Rashbam on Gen. 39: 10, followed by Bekhor Shor on Gen. 39: 11 (*Perushei r. yosef bekhhor shor al batorab*, ed. Y. Nevo, 72) suggests that Joseph remained alone one day in the house with the wife of Potiphar through happenstance, although Rashbam also cites an aggadic *midrash* (= *Genesis Rabbah*) that everyone else had gone out that day to watch as the Nile river overflowed its banks. Cf. *Rabbi Samuel ben Meir's Commentary on Genesis*, ed. Lockshin, 272 n. 3. R. Isaac of Evreux also interacted with comments by Rashi. See e.g. MS Moscow 268, fo. 82^r (on Exod. 4: 24):

ויהי בדרך במלון ויפגשוהו ה' ויבקש המיתו. ולמה נענש [פרש"י] לפי שנתעסק במלון תחלה. [פ"י] מהר"ר יצחק מאיברא שנענש לפי שמיד שנשע ביום ראשון כבר קיים מצות המקום שאמ' לו לך וא"כ היה יכול למולו מיום ראשון שנשע [ולא עשה כך]

and cf. *Tosafot bashalem*, ed. Gellis, vi. 119, §§2–3; and MS Moscow 82, fo. 15^v (on Exod. 12: 15, found also in *Hadar zekenim*, fo. 29b):

שבעת ימים תאכל מצות. פ"ה כתוב אחד אומר שבעת ימים תאכל מצות וכתוב אחר אומר ששת ימים תאכל מצות למדתנו על שביעי שהוא רשות . . . לכן פ"י הר"י מאיוורא דששת ימים רשות מדכתב בערב תאכלו מצות משמע מכאן ואילך אינו מחויב לאכול ואין זה כפי' הקונטרס. ומה"ר י"ט [מיואני?] מקיים פ"י רש"י.

See *Tosafot bashalem*, ed. Gellis, vii. 90–1, §6 (and MS Leiden 27, fos. 55^v–56^r, מים, לכן נראה לי דששת ימים, (רשות) . . . ומורי הרב ש"י מקיים פ"י רש"י 'Exodus', fo. 13a); and vii. 64, §7, n. 5 (citing *Da'at zekenim*). See also *Tosefot evreux al masekhet sotab*, ed. Lifshitz, editor's introd., 34–5 n. 21. For R. Moses of Evreux and Rashi, see MS Oxford/Bodleian Opp. Add. 4^{to}, 127, fo. 3^r. In the context of halakhic exegesis, see *Tosafot bashalem*, ed. Gellis, vii. 89, §5. Cf. Tosafot on *Bets. 21b*, s.v. *lakhem* (citing both R. Moses and R. Samuel of Evreux = *Tosafot bashalem*, vii. 94, §1), and MS Moscow 268, fo. 92^r (citing R. Hayim, the son of R. Moses of Evreux); *Tosefot evreux al masekhet sotab*, ed. Lifshitz, 27–8; *Perushei batorab lerabi hayim palti'el*, ed. Lange, editor's introd., 11; and Urbach, *The Tosafists* (Heb.), i. 484.

¹³⁵ See Kasher, *Torah shelemah*, vol. xiv (New York, 1951), 125, and cf. *Perushei batorab lerabi hayim palti'el*, ed. Lange, 239–40.

ments first that *ne'ermu* is 'like a pile of wheat'.¹³⁶ *Hadar zekenim* then proceeds to deal with the translation of Onkelos (listed first by Rashi), which *Hadar zekenim* finds somewhat difficult to explain, since cleverness is not a trait that can be easily applied to water. From *Sefer hagan*, *Hadar zekenim* presents the view of Rabbi Meir ben Shene'ur that there is a *midrash* which maintains that the water itself became intelligent and offered its own song.¹³⁷

The original text of *Sefer hagan* corrects the source of the attribution to Rabbi Moses ben Shene'ur (of Evreux).¹³⁸ Once again, *Hadar zekenim* and *Da'at zekenim* (without attribution) have introduced an even more miraculous midrashic interpretation than the one proposed by Rashi, not to mention Rashbam and other *pash-tanim*, that derives from a head of the tosafist academy at Evreux.¹³⁹

¹³⁶ This is the interpretation given by Rashbam and Ibn Ezra, using the same proof-text and it is also found in Menahem b. Saruk's *Maḥberet*. See *Rashbam's Commentary on Exodus: An Annotated Translation*, ed. M. Lockshin (Atlanta, Ga., 1997), 156, who suggests that these commentators are thereby avoiding Onkelos' approach. This interpretation is also found in the name of R. Joseph Kara. See *Tosafot hasbaleim*, ed. Gellis, vii. 226, §9, and cf. the interpretation from MS Hamburg 45 found *ibid.*, §5 (*lefi hapesbat*).

¹³⁷ *Hadar zekenim*, fo. 32a:

נערמו מים. כמו ערימת חטים. ועל מה שתרגם אונקלוס חכימו מים קשה, מה חכמה שייכא במים. ואומר ה"ר מאיר ב"ר שניאור דיש במדרש שנכנסה בהם ערמימות של חכמה ואמרו שירה. ג"ן. וי"מ שהחכמה היתה כאשר נצבו כמו נד נזולים.

Note that both of the basic interpretations given by Rashi and *Hadar zekenim* are also found in the *Mekhilta*. A later tosafist Torah compilation, *Pesbatim uferushim al ḥamishah ḥumshei torah lerabi ya'akov mivimab*, ed. M. Grossman (Mainz, 1888), 68, cites anonymously the view attributed by *Hadar zekenim* to R. Meir b. Shene'ur: מדרש וכן במדרש 'תרג' חכימו מים ומה היא חכמתן שאמרו שירה וכן במדרש as does *Da'at zekenim* ('Exodus', fo. 18b). See also MS Oxford/Bodleian Opp. 31, fo. 14^v; *Tosafot hasbaleim*, ed. Gellis, vii. 227, §11; and Poznanski, *Introduction to Northern French Biblical Commentators* (Heb.), p. xcvi.

¹³⁸ See MS Vienna 28 (on Exod. 15: 8 = *Sefer hagan*, ed. Orlian, 234):

על מה שתרגם אונקלוס חכימו מים. נערמו לש' ערמה וחכמה. וקש' מה שחכמה שייכא במים. וא"ל ה"ר משה בן שניאור דיש במדרש בפירוש שנכנסה בהן ערומות של חכמה ואמרו שירה.

(The other major manuscript of *Sefer hagan*, MS Nuremberg 5, does not contain comments on the book of Exodus.)

¹³⁹ In a remarkable passage, *Sefer hagan* on Gen. 31: 52 (ed. Orlian, 179, and see also Poznanski, *Introduction to Northern French Biblical Commentators* (Heb.), p. cii, and *Tosafot hasbaleim*, ed. Gellis, iii. 200) reports a principle put forward by the Tosafist R. Solomon b. Judah of Dreux (see above, nn. 63, 70), or by R. Solomon b. Abraham of Troyes, a brother of R. Samson of Sens (see Urbach, *The Tosafists* (Heb.), i. 344 and 340 n. 34, and cf. Poznanski, *Introduction*, pp. cii–ciii, n. 2), as is found subsequently in *Sefer hagan* on Exod. 24: 8 (see below, and in variants on Gen. 31: 52 in *Perushei batorab lerabi ḥayim palti'el*, ed. Lange, 543; *Pa'ane'ah razah*, 150; and *Moshav zekenim*, ed. Sassoon, 57), that any time the Torah (= the Bible as a whole) indicates that an *ed* (a sign or witness) has been established to mark the making of a covenant, one who violates that covenant will be punished by the very sign or substance that was used to establish the covenant (or testimony) in the first place. Thus, the covenant established with stones by Joshua (Josh. 24: 27), to confirm that the Jewish people would not desert the Almighty, meant that anyone who did so (through idolatry) would be punished by stoning (as per Deut. 17: 7). Upon hearing this principle, R. Moses of Evreux was greatly troubled (*me'od buksbah be'einav venitsta'er bab*), on account of the covenant of stone (*ed bagal hazeh*) that was established between Laban and Jacob as described by the verse in Genesis. According to the talmudic view (*San. 105a*) that Balaam and Laban were one and the

IX

The Torah opens the final section of the portion ‘Beshalah’ with the appearance of Amalek (Exod. 17: 8), who arrived in order to engage in battle with Israel at Refidim. *Hadar zekenim* comments that it is found in the Midrash that Esau pressured his son Elifaz to swear an oath to kill Jacob for stealing the birthright, telling Elifaz that if he succeeded in killing Jacob, the status of the first-born would return to him. Elifaz consulted with his mother Timna, who told him that Jacob was a greater warrior, and that he would kill Elifaz; indeed, it was Esau’s own fear of Jacob that had caused him to assign this task to someone else, since Esau surely would have preferred to kill Jacob himself if he could have. In order to keep his promise to his father nonetheless, even if minimally, Elifaz went to Jacob and took all his money, in line with the rabbinic dictum that ‘a pauper is considered to be dead’. When Esau saw that Elifaz had not done as he had been instructed, he went to Elifaz’s son Amalek and told him to kill Jacob. Amalek acceded to his grandfather’s request, and swore to him that he would kill Jacob. When Timna heard this bad news, she warned Amalek as she had Elifaz, but Amalek did not accept her words. Timna then told him that the descendants of Abraham had a great burden upon them, as Abraham had been told ‘they will serve them and they will be afflicted’ in Egypt. If Amalek killed Jacob at this point, this burden would be transferred to the progeny of Esau, since they too are descended from Abraham. Thus, Timna’s advice to Amalek was

same, Laban violated his covenant with Jacob when, as Balaam, he sought to curse Jacob’s descendants. At no time, however, was Laban/Balaam punished for his violation by the stones of the original covenant. This passage then reports that R. Moses was told in a dream to go and look carefully in the *midrash Bereshit zuta* (*ad sheberu lo baḥalomo puk vedok biveresbit zuta*). R. Moses went and found this thin volume (*matsa sefer katan*), in which it was written that a sword (*ḥerev*) had been stuck into the stone, to seal the covenant between Laban and Jacob (*shena’atsu ḥerev betokh hagal le’ikar keritat berit*). Moreover, the stone fence into which Balaam’s leg was rammed by his donkey (Num. 22: 25) was the very stone of the covenant, and the sword that ultimately killed Balaam (as per Num. 31: 8, *ve’et bilam ben be’or haregu beḥerev*, which further intimates that the particular sword in question was a known one, with a history) was the very sword that had been stuck into the rock. And therefore, Rashi interprets Num. 22: 24, ‘a fence on this and a fence on that [side]’ (*gader mizeh vegader mizeh*) with the words ‘that an otherwise unidentified fence is made of stone’ (*setam geder shel avanim hu*), to hint (*veramaz*) that Balaam/Laban was being punished at this point (via the stone fence) for violating his covenant with Jacob. The passage concludes: כִּי שִׁמְעוּתִי מִמֶּהָר מִשֶּׁהָר בְּרִי שִׁנְיָאוֹר (I intend, in a separate study, to treat the issue of dreams as a source of both rabbinic interpretations and halakhic rulings in medieval Ashkenaz.) *Sefer hagan* reprises this interpretation, without reference to R. Moses of Evreux, on Exod. 24: 8 (ed. Orlian, 249). The Jewish people were sprinkled with blood at Mt Sinai, to signify that one who does not keep the Torah will pay with his blood, as confirmed by both scriptural and aggadic texts. ‘And from here is a significant proof of what we explained in the name of R. Solomon b. Abraham regarding *ed hagal hazeb* [Gen. 31: 52], that the one who violates the covenant will be punished by the substance used to seal the covenant.’ See *Tosafot bashalem*, ed. Gellis, viii, 363, §1; and cf. *Hadar zekenim* on Exod. 24: 8 (fo. 40a, citing *Sefer hagan*), and on Num. 24: 8 (fo. 59b, citing an unidentified *midrash*). On Balaam and Lavan, see also *Tosafot bashalem*, ed. Gellis, vi, 14–15, §9.

that he should at least wait until the subjugation of the Jews in Egypt had been completed and the Jews had left Egypt. It was at that point that Amalek came upon the Jews to fulfil his oath, as the verse reads, 'And Amalek arrived'.¹⁴⁰

Rashi employs a version of this *midrash* as the second interpretation in his commentary on Genesis 29: 11, to explain why Jacob cried when he met Rachel. Jacob cried because he had no money, since Elifaz had taken everything from him. In Rashi's version of this *midrash*, Elifaz was torn between his father's demand to kill Jacob and the fact that he had grown up in close proximity to Isaac. Elifaz confessed his ambivalence and his dilemma to Jacob, who advised him to take all his money so that Jacob would be 'a pauper who is considered to be dead', thereby fulfilling Esau's wishes on a technical level, while not shedding the blood of Isaac's son.¹⁴¹ In his comment on 'And Amalek arrived' (Exod. 17: 8), however, Rashi does not refer to this *midrash* at all, but instead offers a comment based on a passage in *Pesikta rabati*. The arrival of Amalek and its conflict with Israel is juxtaposed with the previous section in the Torah, in which the children of Israel complained about their thirst and Moses provided water for them by hitting the rock at the instruction of the Almighty (Exod. 17: 1–7), to teach an important spiritual and behavioural lesson. Even though God always provides for the children of Israel, they often ask, nonetheless, if God is with them, failing to recognize his presence as manifested in his responsiveness. Rashi includes a parable illustrating this kind of human insensitivity, with the object lesson being that, on occasion, the Almighty may pull back from Israel when they do not remember him properly. They will then be required to pray to him and cry out for help when this new difficulty appears, causing them to appreciate him anew.

Rashi's use of the story of Elifaz and Jacob in Genesis 29, as an *agadah hamayeshbvet divrei mikra*, and his failure to use it in Exodus 17 is most likely a function of scope. The midrashic encounter described, occurring directly between Elifaz and Jacob, might well explain Jacob's sadness when he met Rachel. Indeed, Rashi, towards the end of the portion 'Vayishlah' (Gen. 36: 7), offers a midrashic explanation for the fact that Esau departed the land of Canaan for his own land 'because of his brother',¹⁴² which contains another element of this much larger midrashic theme: Esau did not want to

¹⁴⁰ *Hadar zekenim*, fos. 32b–33a:

ויבא עמלק. נמצא במדרש עשו השביע את אליפז בנו להרוג את יעקב לפי שרממו מן הבכורה וא"ל בני בכורי אם תהרגוהו תשוב לך הבכורה. הלך אליפז נתייעץ עם תמנע אמו והיא מנעתו ואמרה לו בני, יעקב גבור ממך ויהרגך. ואביך הרשע אם לא היה ירא ממנו פן יהרגוהו היה חפץ להורגו מידו יותר מעל ידי אחרים. מה עשה אליפז כדי לקיים מצות אביו ושבועתו הלך אל יעקב ונטל ממנו כל ממונו ועני חשוב כמות. כיון שראה עשו שלא עשה אליפז מצותו הלך לעמלק בן אליפז וא"ל שיהרג יעקב. נתרצה עמלק לדברי זקנו עשו ונשבע לו שיהרגוהו. כששמעה תמנע הדבר הרע הזהירה בו כמו שעשתה לאליפז ולא קבל דבריה. אמרה לו חוב גדול מוטל על זרעו של אברהם כדכתי' ועבדום וענו אותם ואם תהרג יעקב הרי החוב מוטל עליך ועל זרעו של עשו כי אתם מזרע אברהם. ולכן המתין עד אחר השעבוד שנפרע החוב ויצאו ממצרים ויבא אליהם להנקה משבועתו. והיינו דכתיב ויבא עמלק.

¹⁴¹ This version of the *midrash* has roots in *Deuteronomy Rabbah* and the midrashic *Sefer hayashar*, but does not appear in *Genesis Rabbah* at this point. See *Rashi al batorah*, ed. Berliner, 59; and cf. *Tosafot bashalem*, ed. Gellis, iii. 134, §3.

¹⁴² See *Gen. Rabbah*, ad loc. (82: 13).

receive, in any way, the obligation or decree of servitude that would be placed upon those to whom which the Land of Israel had been given, so he left that land. The fuller midrashic story of Amalek finally avenging the challenge of Esau, however, does not especially suggest itself as an appropriate, focused exegetical comment for Rashi to make on the verse 'And Amalek arrived'. Unlike Rashi, however, *Hadar zekenim* had no such qualms about opening with this larger *midrash* here, just as *Hadar zekenim* preferred this kind of broad-based *midrash* in many of the other examples discussed above.

Hizekuni's comment on 'And Amalek arrived' essentially reproduces the Rashi passage on Genesis 36: 7, concluding that Amalek's desire to avoid the burden of servitude in Egypt serves to explain why he waited to attack the children of Israel until after they had left Egypt and their debt of servitude was complete. At the same time, *Hizekuni* does not present any aspects of the more lengthy, yet related *Hadar zekenim* passage on 'And Amalek arrived', even though *Hadar zekenim* was a work to which *Hizekuni* had access.¹⁴³ Clearly, *Hizekuni* wished to employ a helpful midrashic theme for an exegetical purpose, without having to subscribe to all of the larger and more diffuse dimensions of that theme, as it was recorded and used by *Hadar zekenim*. In the same way, but with even tighter exegetical considerations and standards, Rashi was content, in his comment on Exodus 17: 8, to make an ethical or behavioural point from the juxtaposition found there, as was his wont, rather than resorting to a larger midrashic theme whose presence in this case was not so germane or so obvious.¹⁴⁴

Interestingly, *Da'at zekenim*, like *Hizekuni*, also presents a fairly compact version of the midrashic motif surrounding Amalek's attack on the Jews that has no explicit reference to Elifaz, and that attributes the decision not to move against Jacob until the Jewish people had left Egypt to Amalek himself.¹⁴⁵ Nonetheless, and not surprisingly, the larger midrashic approach found in the printed edition of *Hadar zekenim* does appear in other tosafist Torah collections, and in manuscripts related to these works, with some omissions or variations to be sure, as the compilers of these works sought to conflate broad rabbinic and midrashic themes that

¹⁴³ See above, n. 47.

¹⁴⁴ On Rashi's use of *midrashim* to convey points of pedagogy and ethics, see above, n. 14. On Rashi's comment on Exod. 17: 8, cf. N. Leibowitz, *Iyunim besefer sbemot*, 497–8; M. Sokolow, *Studies in the Weekly Parashah*, 99–101; and above, n. 129.

¹⁴⁵ *Da'at zekenim*, Exodus, fo. 21b:

ויבא עמלק. ותימה למה איחר להלחם עם ישראל עד עכשו ולא בא מיד [כ]שירדו למצרים שלא היו כי אם שבעים נפש. י"ל שאמר לו הקב"ה לאברהם ועבדו וענו אותם. וכשמת אברהם הטיל החוב על יצחק. וכשמת יצחק הטיל על יעקב ובניו ועשו ובניו. ואמר עמלק הרשע בלבו אם אכרית את יעקב וזרעו יהיה החוב מוטל עלי. לכך המתין עד שיצאו ממצרים שכבר נפרע החוב ואז בא להלחם עמהן.

Moshav zekenim, ed. Sassoon, 148, offers a different, broad midrashic perspective, which seeks to explain why Amalek chose to attack Israel precisely at a time that the word was being spread of the many miracles that had been done on behalf of Israel. The *Moshav zekenim* passage concludes with an attribution to *Sefer hagan*, but that may only apply to a second midrashic passage found towards the end of the comment.

would resonate in a variety of verses and situations within the Torah, and to supply them to their readers.¹⁴⁶

X

The midrashic interpretations and expansions found in *Da'at zekenim* and *Hadar zekenim* move well past simple responses to Rashi's comments, or citations from Rabbi Joseph Bekhor Shor and those of his Tosafist colleagues who worked with the exegetical categories of *peshuto shel mikra* and *agadab hameyashevot divrei mikra* in ways similar to Rashi. These compilations often presented comments from Tosafists who were inclined to read the biblical text mainly through the prism of talmudic and midrashic literature, with particular emphasis on *Genesis Rabbah* and related works. In addition to exposing their readers more effectively to this tosafist material, *Da'at zekenim* and *Hadar zekenim* (as representatives of their genre) sought to highlight more miraculous descriptions of the events that took place in the Torah, and to put forward and conflate *midrashim* that could be applied to multiple sections or episodes in the Torah. Although there is a measure of *peshat* included as well, these compilations were meant to be more popular or broad-based than those of the *pashtanim* of northern France and their successors, and were intended to attract readers who were below the level of the highest rabbinic elites.

Indeed, there are at least three examples from the mid- to late thirteenth century of extensive collections from Germany and Austria (with distinct authors) that were designed to present tosafist material primarily in the realm of halakhah, but also in Midrash and aggadah, arranged according to the verses of the Torah. It would appear that these works were also intended to reach an audience larger than the rabbinic elite who populated the most prestigious or advanced *batei midrash*. These works are *Perushim ufesakim* by Rabbi Avigdor ben Elijah Katz of Vienna,¹⁴⁷ the no

¹⁴⁶ See *Tosafot hashalem*, ed. Gellis, vii. 298–9, §§2–3. MS Oxford/Bodleian Opp. 31, fos. 14^v–15^r is virtually identical to the published version of *Hadar zekenim*. Cf. e.g. MS Vatican 45, fos. 25^v–26^r:

מה ראה עמלק להלחם בישראל בשביל צואת אביו אליפז כשפירש יעקב מאביו ומאמו
ללכת (אל) [מ]ארץ כנען לחרון אל לבן שמע עשו וצוה לאליפז להורגו. ותמנע פלגשו
שמעה הדבר מיחה בו. אמרה אם תהרוג יעקב בניך יהיו משועבדי' תח' יד פרעה מלך
מצרים. כי הק' הבטיחו לאברהם בברית בין הבתרים כי גר יהיה זרעך בארץ לא להם.
ואליפז השיב מה אעשה לצואת אבי והשיבה לו תצוה לעמלק בנך כשיצאו ממצרים
שיבא וילחם בהם וזהו ויבא עמלק.

and Kasher, *Torah shelemah*, xiv. 252–3.

¹⁴⁷ See Emanuel, *Shivrei luhot*, 175–81, and Kanarfogel, *Peering through the Lattices*, 95–8, 225–7. This work was published under the title *Perushim ufesakim lerabenu avigdor tsarefati* [sic], ed. I. Herskovits (Jerusalem, 1996), on the basis of MSS Hamburg 45 and British Library Or. 2853. The attribution of the (as yet unpublished) *peshatim* in MS Hamburg 45 to R. Avigdor is not as certain. R. Avigdor cites a number of northern French and German Tosafists by name, most often in halakhic contexts. As listed in Herskovits' index (pp. 536–7), Bekhor Shor's Torah commentary is cited only once, while Rashbam is cited more than ten times (although many of these citations refer to his commentary on *Bava Batra* or to comments made by Rashbam in *Tosafot*, rather than to his Torah commentary). Interestingly, there is a core of halakhic material on various verses contained in the 14th-cent. *Moshav zekenim* that parallels

longer extant *Kol bo* by Rabbi Shemaryah ben Simhah,¹⁴⁸ and *Derashot ufiskei halakhot* by Rabbi Hayim ben Isaac.¹⁴⁹

Although the so-called tosafist Torah commentaries composed from the mid-thirteenth to the early fourteenth centuries were, on the whole, more committed to midrashic interpretation than to *pesbuto shel mikra*, we have seen nonetheless that their use of Midrash followed certain patterns, methods, and aims, and was far from random. This was clearly the case for the earliest of these compilations, such as *Sefer hagan*,¹⁵⁰ but it also appears to hold true for the *Da'at zekenim* and *Hadar zekenim* collections, on which this study has focused, and even for some of the latest tosafist Torah compilations such as *Minbat yehudah*.¹⁵¹

Further study of Torah commentaries composed by full-fledged Tosafists, as well as the tosafist Torah compilations that bring together a fair amount of this material in addition to what was added by their lesser-known compilers, may serve to open additional windows into the thought and individualistic positions of the Tosafists, as well as their successors and contemporaries among the secondary elite within medieval Ashkenaz. Great care must be exercised when attempting to isolate the personal views of the Tosafists from the standard forms and features of tosafist talmudic interpretation, since the Tosafists typically followed the flow and the nuances of the talmudic corpus itself in offering interpretations and raising problematics.

To be sure, Tosafot comments on talmudic *sugyot* dedicated to themes and topics in aggadah were not automatically predicated on a commitment by the Tosafists to understand literally or uncritically the underlying biblical and rabbinic concepts. Thus, as I have demonstrated elsewhere, there are instances in which tosafist beliefs and ideological positions were shaped by or adhered to views that emerged essentially from the rubric of talmudic study, which was surely the most extensive site of the interpretational endeavours of the Tosafists.¹⁵² Nonetheless, the somewhat

material found in both MS Hamburg 45 and MS British Library Or. 2853. See e.g. Emanuel, *Shivrei luhot*, 172 n. 89.

¹⁴⁸ See *ibid.* 166–74.

¹⁴⁹ This work was published in a critical edition by Y. S. Lange (Jerusalem, 1973) and by M. Abitan (Jerusalem, 2002). Of these three works, this one appears to have the least amount of non-halakhic exegesis and discussion. Cf. Noah Goldstein, 'R. Hayyim Eliezer b. Isaac Or Zarua: His Life and Work', D.H.L. diss., Yeshiva University, 1959, 36–7. These German and Austrian works parallel the various halakhic abridgements that appeared in northern France during the second half of the 13th cent., chief among them the *Sefer mitsvot katan* of R. Isaac b. Joseph of Corbeil, whose intended appeal to a larger and less knowledgeable audience was explicitly noted. See e.g. I. Ta-Shma, 'On *Sefer mitsvot gadol*, the Abridged *Sefer mitsvot gadol* and the Literature of Abridged Works' (Heb.), in Y. Horowitz (ed.), *The Abridged Sefer mitsvot gadol by Rabbi Abraham ben Ephraim* [Kitsur sefer mitsvot gadol lerabi avraham b. efrayim] (Jerusalem, 2005), 13–21; id., *Keneset mehkarim*, ii. 114 n. 9; and Urbach, *The Tosafists* (Heb.), ii. 571–4. Cf. also above, n. 47.

¹⁵⁰ See *Sefer hagan*, ed. Orlian, 52–67.

¹⁵¹ See H. Touitou, 'Minbat yehudah', 170–87.

¹⁵² See e.g. Kanarfogel, 'Medieval Rabbinic Conceptions of the Messianic Age: The View of the Tosafists', in E. Fleischer et al. (eds.), *Me'ab She'arim: Studies in Medieval Jewish Spiritual Life in Memory of Isadore Twersky* (Jerusalem, 2001), 147–70.

surprising range of views among the Tosafists during the twelfth and thirteenth centuries on the question of anthropomorphism and the divine image or form were most often expressed in biblical comments or commentaries, or in otherwise separate and often multifaceted remarks devoted to this topic, in which both talmudic and non-talmudic texts and approaches were taken into account.¹⁵³ In the same vein, it is safe to say that we know much more about Rashi's proclivities in matters of thought and belief from his biblical commentaries than we do from his talmudic commentaries.¹⁵⁴ Further analysis of the various Ashkenazi Torah commentaries from the late twelfth to the early fourteenth centuries can shed much additional light on the intellectual and spiritual lives of the first- and second-level elites during the tosafist period and beyond.

¹⁵³ See Kanarfogel, 'Varieties of Belief in Medieval Ashkenaz: The Case of Anthropomorphism', in M. Goldish and D. Frank (eds.), *Rabbinic Culture and Its Critics* (Detroit, Mich., 2008), 117–59.

¹⁵⁴ Cf. above, n. 14. I am indebted to my friend and colleague Professor Moshe Sokolow of Yeshiva University for reading an earlier draft of this study and offering a number of helpful suggestions in terms of both content and style.

MIDRASH UNBOUND

Transformations and Innovations



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