

## CHAPTER XII.

### THE DOCTORS OF FRANCE. AUTHORS OF THE TOSPHOTH.

Through the Tosphoth which were begun by Rashi's own descendants as his two sons-in-law, Meir b. Samuel and Jehudah bar Nathan and the sons of the first Samuel and Jacob Tam, the activity of the scholars of France and Germany assumed great proportions and was exalted, so that all Israel in the Middle Ages accepted them unanimously, and in the course of time the numbers of their disciples and the pupils of their disciples increased. So that more than two hundred great Talmudists are known to the historian, but whom it is needless to enumerate here, except a few which we deem necessary for our work.

His grandson, R. Samuel b. Meir, or Rashbam (1085-1158), did not content himself with the commentary of his grandfather on the Bible, as well as on the Talmud, and tried his strength to explain them after his own method, that is, according to their deep literal meaning, and leaving ingenious but forced constructions to dialecticians, even when the literal interpretation will thus be in direct contradiction to the Halakha (see App. No. 15) however, without any opposition to the traditions expressed. He only added in his commentary "according to the deep literal meaning," but leaves one to think that even the traditional interpretation about the Halakha can find place. To the Hagada, however, which tries to interpret biblical texts according to its legends, he opposes with all the strength of his intellect, and makes manifest their contradiction,

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so as to demolish the Hagada to the foundation, In his commentary on the Talmud, however, he is given to lengthy reasonings and dialectics and also endeavors to arrive at decisions of Halakhas, which his grandfather took care to avoid. Whoever sees critically, Rashi's commentary on Tract Baba Bathra up to 29b, and from there onwards, Rashbam's commentary which is its substitute from that place onwards, will be astonished at the great difference between them, if but at the relative quantities of Rashi's comments and Rashbam's.

From his commentaries and compositions we see that he had much knowledge of diverse languages, and of the manners and customs of nations and their modes of life, and gave human reasons for many commandments of the Pentateuch. In Northern France his commentaries were accepted in the colleges and it became their main authority.

But his younger brother, Jacob, styled "Rabenu Tam," devoted his whole mind to studies of the Talmud chiefly, and he became the center of the authors of the Tosphoth, to him flocked men with questions from all ends of the earth, to whom he was as an oracle. justly we may entitle him the Pillar of the Talmud. He went to the depths of the sea of the Talmud, and made it his first task to reconcile apparent contradictions therein. He likewise mended many corrupted texts in the Talmud, though of him it has been said that he decreed on the pain of excommunication not to amend any text in the Talmud, and in many places he disagrees with his grandfather. Aside from this he did not at one's own conjecture, neglect commentaries on Scriptures and

grammatical studies, and decided in favor of Menachem b. Sruk against Duns b. Labrat in his book "Hahakhraoth" (Reconciliations); he also tried his ability for poetry. As his biography has been written by the learned A. H. Weiss in a separate book, it is unnecessary to expatiate on it.

Here is the place to remark that in late generations the second pair of phylacteries which pietists put on after the prayer, have been styled after him on account of two or three words which he wrote in his commentary on an obscure passage in Tract Mena'hoth in opposition to Rashi's commentary, on account of a hair-splitting discussion in the language of the Gemara, though he had never the intention to decide so the

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Halakha, as his grandfather Rashi had also not intended in his commentary on the Halakha, still those phylacteries are called after him. In truth neither the one nor the other was used yet as phylacteries, as testifies the greatest among the authors of Tosphoth, R. Isaac the Elder (as this is explained in one book on Phylacteries).

Among the faithful disciples whom Pashi had in the college at Troy it is proper to mention R. Joseph b. Simeon Kara who was revealed to us recently by modern criticism; and R. Joseph Bchor Shor who was a disciple of Rabenu Tam, and composed a commentary on the Pentateuch in the spirit of that of Rashbam. The other commentators on Scripture among the authors of the Tosphoth and their disciples, however, as the author of "Hagan" (The Garden) a commentary on the Pentateuch, which is to be found in two different versions, and some more commentaries by R. Hezekiah b. Manoah, R. Isaac Halevi, R. Jehuda b. R. Eliezer, R. Jacob d'Illesques, do not cling to the principle of literal interpretation, but of Drash and Mysticism. Rashi's commentary was, however, their model. The chiefs of the authors of Tosphoth in the period of from 1167 till 1300 were: R. Isaac b. Samuel, called R. Isaac the Elder, from Dampirere, the nephew of Jacob Tam, his son Elchanan, Eliezer b. Samuel ("Ram") of Metz, author of "Sepher Yereim" (Book of the God-Fearing), Isaac b. Abraham, Junior (Ritzba), his brother, Simsan of Chanz (Rashba), his great labors are called Tosphoth of Chanz, Jehudah b. Isaac from Paris, called Sirlan, Ephraim b. Isaac from Reugspurk, and Nathan Official, who will be mentioned by us further in a separate chapter. Among the latest of the authors of the Tosphoth, however, we may name the Rabbi Moses of Caucy, author of "Smag" who is also mentioned in Tosphoth thrice (Berakhoth, 14b, 43a, Aboda Zarah, 13a), and R. Jacob of Courbel to whom have been attributed the questions and answers *from Heaven*, and we doubt whether Isaac of Vienna author of the well-known book "Or Zarua" (Diffused Light), who also lived at that time, has also been mentioned in Tosphoth (see our work on *Phylacteries*, p. 140), by the name of R. Isaac--simply, as not every time when the name R. Isaac--barely is mentioned in Tosphoth, R. Isaac the Elder is meant.

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This last, R. Moses of Caucy, contributed much to restore the study of the Talmud to its former splendor in his days, when in Spain it was almost stopped, and along with it many ceremonies, as phylacteries, Mezuzoth and Tzitzith, which were not seen in his time in any part of Spain or other countries. Owing to the oppression of the other religions by the dominant religion, the Israelites began to blend with the nations, and thousands of them embraced ostensibly the dominant religion, and some even conscientiously, having despaired of the former hope of Israel, Moses of Coucy therefore devoted himself to his work and travelled from city to city, and

from land to land, to encourage Israel in the study of the Talmudic literature, and restore the activity, and he is the first who required help for his aim from gentiles, his friends, though not co-religionists, and that his works should find acceptance he backed them by dreams and natural phenomena that took place at the time, which he warned the people that they were signs from heaven, and also by astrology, to arouse the people to return to the study of the Talmud and its commandments. As he testified himself in his book which he wrote in his later days (1288), "*Sepher Mitzvoth Gadol*" (Positive Commandments) whose title is abbreviated "Smag." After writing the sermons in exile, he concludes: "After the year 4995 after creation (1235), an event took place from heaven to chastize. And in the year 1236 I was in Spain *preaching* to and reproving them, God strengthened my arms by Jews *and Gentiles'* dreams, and visions of the stars and extended his mercy to me, and the earth trembled 1 and there was general terror, great repentances were made, and thousands as well as myriads accepted the sacred ceremonies of Tephilin, Mezuzoth, and Tzitzith. So I was afterwards in other countries, and they were accepted in all places, and I was asked for a commentary on these commandments in brief." Not only in France and Spain were such books written about the practical ceremonies in the spirit of the Talmud, but also in Germany, R. Baruch of Germisa composed "Sepher Hatrumah" and R. Isaac from Vienna, his book "Diffused Light" (Or Zarua) which all treat of ceremonies and Halakhas after the rules of the Talmud, which those sages saw

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a great necessity to renew and arouse the nation to observe them, after the Halakhas of Alfasi and Maimonides had become already too ancient in their tone, and the violent persecutions then directed against the Talmud diminished the number of the students. It would seem that at that time was composed also the small book "Questions and Answers from Heaven" in the name of R. Jacob of Corbel who was known as a holy man, to show to the people that its hope was not yet at end, that in heaven all wards of the Talmud are venerated, and so are all sages who occupy themselves with it, as seen from the contents of the questions and answers given from heaven especially in case of R. Isaac Alfasi, about whom from heaven it was answered: "Not in an old man is wisdom, nor in schoolboys counsel, but my covenant I shall fulfil with Isaac," and this may be a kind of basis for the programme made by Shem Tobb, Joseph Falkira (1264), that diligent study of Alfasi may substitute the study of the Talmud.

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## Footnotes

[60:1](#) See our "Phylacterien," page 85, concerning the trembling of the earth, mentioned here.

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