Book review

E. E. Urbach: *THE TOSAPHISTS*

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A comprehensive historical analysis of the Tosafists – *Baalei Hatosafot* – “Cedars of Lebanon” revered as pillars of Torah wisdom, who dedicated themselves ardently to the study and elucidation of the Torah, particularly the oral tradition, and in formulating decisive rulings to guide the Jewish people in righteous conduct, has long been a scholarly aspiration awaiting a cohesive academic treatment.

This illustrious epoch in Israel’s annals – a narrative rich in personal and literary, societal and cultural dimensions – awaited a champion endowed with historical insight and nuanced understanding, capable of consolidating the dispersed materials strewn across myriad sources, encompassing printed and manuscript Tosafot, legal compendia, *responsa*, commentaries, poetry, and polemical treatises. Such a figure would undertake a meticulous archival endeavor, synthesizing these diverse elements with the wealth of research accumulated over the past century. The objective: to construct a structured framework that subjects these materials to rigorous historical scrutiny, culminating in the creation of a grand repository. Within this repository, dedicated sections would be allocated to each distinguished Tosafist, delineating their virtues and indelible contributions to Jewish culture and medieval life at large, while illuminating their pivotal role in shaping the tapestry of Jewish jurisprudence.

Preparatory studies have been undertaken to some extent, yet the propaedeutic work, if I may call it that, remains unfinished. Scholars such as Zunz, Michal, Gross, Aptowitzer, and others have diligently amassed a wealth of biographical data and literary insights into the Tosafists. Furthermore, there exist specialized studies and monographs focusing on individual figures who illuminate various facets of this era, spanning over two hundred years within the heart of the Middle Ages. Among notable works are Poznański’s exhaustive exploration of the “French sages’” commentaries on the Bible,” and the comprehensive introduction in Aptowitzer’s examination of Eliezer ben Yoel HaLevi of Bonn (Ra’avyah), which, on the one hand, also belongs to the genre of comprehensive studies, since it contains information about all the sages and books mentioned in the Ra’avyah’s writings, and on the other hand, serves as a detailed historical monograph, offering a comprehensive summary of the Ra’avyah’s life and works. Additionally, we find such studies as Rabbi Jacob Epstein on Rabbi Yehuda ben Natan (Rivan), Rashi’s son-in-law; Avraham Epstein on Rabbi Shmuel ben Rabbi Kalonymus; S. Albeck on the Ra’avan; D. Rosen on the Rashbam as an interpreter of the Bible; Agus on the Maharam of Rothenburg; Gross on Rabbi Samson ben Abraham of Sens; A. Freimann on the Rosh, and many more.

Additionally, there are broader works on the history of Jewish law, the legacy of decisors, and Jewish culture in general, such as those by Isaac Hirsch Weiss, C. Tchernowitz (Rav Tza’ir), and M. Güdemann. While these scholars acknowledge the significance of the Tosafists in France and Ashkenaz, their books cover expansive periods, and thus, readers should not anticipate novel, groundbreaking information specific to the Tosafists from these works.

However, despite these notable achievements – many of which can be considered “heritage assets” and could be deemed as the pinnacle of scholarship in certain areas – it is evident that there is still much work to be done. One significant reason for this is the prevailing indifference or reluctance towards the subject as a whole. An emblematic illustration of the indifference or limited engagement of 19th century *Wissenschaft des Judentums*regarding the vital field of history of Jewish law and related topics is reflected in the lack of interest shown by the renowned bibliographer, Steinschneider, in this area, as well as in the alphabetical list of Tosafists presented by Zunz in his *Zur Geschichte und Literatur*. It raises questions about whether these scholars were adequately equipped, intellectually or otherwise, to grapple with the complexities of the history of Jewish law and its associated challenges.

We must thus express our gratitude to Dr. Ephraim Urbach, a prominent figure in contemporary academic and scholarly circles renowned for his extensive studies and essays on Jewish history in the Middle Ages and the nature of Jewish law and its history, has bestowed upon us a twofold gift – both quantitatively and qualitatively – through his monumental work titled *The Tosaphists: Their History, Writings and Methods.*

Indeed, this book is not merely a summary, although it fulfills the necessary and anticipated role of summarizing; it also addresses a recognized deficiency to a significant extent. Within its pages, the author introduces innovative perspectives that emerged from his comprehensive review of the intricate web of issues inherent in this tapestry of persons and works. Demonstrating a profound power of summarization and condensation, the author not only provides a panoramic view of the forest but also delineates the precise contours of its trees – both the towering cedars and the humble shrubs. Drawing upon the research of his predecessors (including those mentioned earlier), the author carefully sifts through unfounded hypotheses and upholds solid conclusions, occasionally offering support for unproven assumptions or presenting brilliant insights of his own. Rather than merely referencing external sources, leaving it to the reader to seek them out, Dr. Urbach seamlessly incorporates the insights of various authors into his discussions, delivering them in a concise and fluid style. The result is a valuable resource that anyone seeking information on this subject would do well to consult. Proficiency, originality, and novelty converge harmoniously within its pages.

Under his shepherd’s staff, the author meticulously guides his readers through a landscape littered with the literary conundrums inherent to this topic. These include inquiries into parts of Rashi’s commentary that bear the imprint of other hands, the composition of the *Sefer Hayashar*, the elusive identity of the *Sefer Hayashar Hakatan*, a commentary on the Tractate Tamid attributed to the Ra’abad, a commentary on the *Sifra* attributed to Rabbi Samson of Sens, Rabbi Eliezer of Metz’ interpretation of Tractate Nedarim, the book *Tzafnat Paane’ach* attributed to Ra’avyah, the book *Gan Bosem* which many scholars attribute to Rabbi ben Samuel of Regensburg (Yehuda HeHasid). Each of these issues is scrutinized as the author navigates through the labyrinth of opinions and proposals, offers a comprehensive survey of the diverse perspectives surrounding these literary matters, accepts and justifies a certain proposal or proposes a new solution.

In this book, we encounter a rich tapestry of personalities, ranging from the eminent figures to the less heralded contributors, the pioneers and visionaries, the scholars and commentators: Rashi’s disciples, sons-in-law and grandsons, *Hasidei Ashkenaz* and the Tosafists among them, the scholars of France and Ashkenaz in the 13th and 14th centuries. The author meticulously unveils their roles and contributions. Notably, the author sheds light on the identities of various individuals, such as Rabbi Shemaya, a disciple of Rashi, Rabbi Joseph of Orléans, the author of the *Bekhor Shor*, Rabbi Joseph Porat, and the students of Rabbenu Tam, including Rabbi Eliezer ben Yitzchak of Prague, Rabbi Isaac ben Jacob Halavan, Rabbi Petter ben Joseph, Rabbi Simḥa ben Samuel of [Speyer](https://en.wikipedia.org/wiki/Speyer), among others.

Through his meticulous examination and elucidation, the author challenges established methodologies that have become entrenched in scholarly discourse, sometimes engaging in polemics to contest them. For instance, Urbach refutes Aptowitzer’s proposition regarding the existence of two separate books titled *Mahzor Vitri,* purportedly authored by two of Rashi’s students, Rabbi Shemaya and Rabbi Simḥa. Additionally, Urbach rejects the notion – he does not mention whose suggestion this was, but he was certainly referring to Zunz (*Rashi*, in Bloch’s Hebrew translation, Warsaw 1862, p. 29 b) – that Rabbi Shemaya was Rashi’s grandson, citing a variant reading in the Mordechai as evidence. Similarly, and in this instance following Aptowitzer’s lead, Urbach critiques the approach of the late Prof. Jacob Epstein, which delineates a division between the Tosafot of the sages of Worms and those of Mainz, arguing – apparently correctly – that they share common foundations. Furthermore, the author engages in polemics with Isaac Hirsch Weiss, particularly contesting the biased depiction of Rabbenu Tam, and criticizes the lack of criticality and precision in Tchernowitz’s views. It is important to note that Urbach’s approach does not involve combing through manuscripts in search of flaws merely to justify criticism. His aim is not criticism for its own sake. Rather, he operates under the principle that “there is no partiality in the Torah,” which leads him to recognize the occasional necessity for critique.

The structure of the book follows a pattern of *klal ufrat uklal* – generalization, detailed exploration, and then another layer of generalization – with each part shedding new light on the others. Urbach opens by noting the significance of the subject matter and emphasizes its crucial importance in Torah study. He then delves into the creation, editing, printing, and dissemination of “our Tosafot,” (that is, the Tosafot printed on the folio pages of the Talmud, in distinction from the numerous Tosafot found in manuscripts). To further define the literary nature of Tosafot and also because “the creation of the Tosafot cannot be isolated from similar appearances in medieval Latin literature” (p. 27), he describes the glosses to Justinian’s Codex and compares the two works, highlighting their unique characteristics. Subsequently, Urbach proceeds to discuss the creators of this literature, the Tosafists themselves, in roughly chronological order, although occasional deviations occur due to geographical considerations. In these sections, Urbach provides biographical insights and literary analysis, while examining selected passages to elucidate each figure’s role in the social life of his community and the development of Jewish law. These discussions often extend beyond biographical or literary analysis, delving into social, economic, and even political issues within medieval Jewish society.

Readers will encounter a wealth of instructive material covering a diverse range of topics, including *Ot Hakalon* (the badge of shame), house rentals, *Herem Hayishuv* (the ban on settlement), *Dina Demalkhuta* (the law of the land), the wine industry, coin cutting practices, and more. Urbach delves into internal conflicts within communities, external feudal disputes, and the distinct life patterns with their nuanced differences, alongside the broader trends of the period that influenced them. Some insights are revealed in a seemingly random and indirect manner, while others are presented with deliberate foresight and directness, showcasing Urbach’s keen, penetrating, and profound historical perspective.

It is important to note that the depth of discussion varies throughout the book. The ruler’s relationship to the organized society and his place within it are not fully explained. While the author adeptly quotes multiple passages reflecting the historical realities of the Middle Ages, they are not explained by him sufficiently. The author’s promise to discuss the peripheral literature (p. 31), including commentaries and liturgical poems, is sometimes fulfilled while at other times is neglected. Particularly puzzling is the omission of a discussion on *takkanot* (legislative enactments) and their analysis, as they are crucial for understanding the mutual influence between law and societal reality. For instance, Rabbenu Tam’s role in the famous *Takkanot Shum* is mentioned only briefly, with nothing more than a bibliographic note advising the reader to turn to Finkelstein’s book, *Jewish Self-Government in the Middle Ages* and Prof. Baer’s review article (p. 80). Furthermore – and I will comment further on this important matter – the discussion in these chapters, which makes up most of the structure and most of the book’s content aside from the general chapters at the end, focuses on human-psychological aspects (as in Urbach’s “Dream Interpretations” p. 174) overshadowing the theoretical-practical discussions. Many complicated halakhic matters are perceived and interpreted solely within the framework of personal and emotional factors or with a system of alternating historical reasons, a methodological injustice to basic concepts and internal processes of Jewish law. The late Gedaliah Alon (*Tarbiz*, 1939) has previously cautioned against developing a one-sided sociological approach, which risks attributing the rules of Jewish law, its history, and development to local social factors.

At times, the organization of the chapters appears somewhat deficient, as it occasionally separates connected topics or connects unrelated ones. For instance, in the chapter “Rabbenu Tam’s disciples in France,” the discussion initially focuses on contemporaries of Rabbenu Tam who interacted with him, including both allies and rivals, before addressing his French disciples. However, the accounts of Rabbi Tam’s students in other European countries are scattered throughout the book, rather than being consolidated into one section. It would have been beneficial for the author to gather these accounts together, even if only to offer a comprehensive list or a brief summary, to elucidate the extent of Rabbenu Tam’s influence. Similarly, in the chapter on “The Ri and his *Beit Midrash*,” the discussion of all the numerous students who attended his renowned yeshiva in Dampierre – in every sense of the word “a mother city in Israel” – is not integrated in one place. This prevents readers from obtaining a complete picture of the Ri’s pedagogical endeavors, which exerted a profound influence across France, as well as Provence and Ashkenaz.

At the end of the book, there are two chapters (12 and 13) that delve into overarching themes. The first is dedicated to technical aspects and stands out as a distinct section that could easily be separated from the rest of the book. Here, the author meticulously examines the printed Tosafot of each tractate individually, documenting the names of the *Rishonim* mentioned in them, attempting to pinpoint their primary sources in Tosafot Sens, Tosafot Touques, Tosafot Évreux, and so forth, while also typically establishing a *terminus ad quem* for their compilation. Many of the conclusions drawn in this chapter had previously been presented to the public in 1937 in the author’s German publication: *Die Entstehung und Redaktion unserer Tossafot.*

The expansive final chapter spans over fifty pages and provides a comprehensive summary of the Tosafists’ approach to interpreting the Talmud and adjudicating matters of Jewish law. In meticulous detail, the author delineates the interpretive methodology employed by the Tosafists, which he aptly dubs “the critical dialectical method” (further elaborated upon in our subsequent comments). In reflecting on this chapter – and to some extent, the entire book, which represents the culmination of roughly twenty years of labor – one may be reminded of the renowned article penned by the eminent French historian Fustel de Coulanges: *une vie d’analyse pour une heure de synthèse* (“a lifetime of analysis for an hour of synthesis”).

This remarkable tome, which thought-provokingly summarizes the historical research, while simultaneously highlighting numerous avenues for further study. It will undoubtedly emerge as a foundational work of medieval historiography and the history of halakhic literature. The author demonstrates diligence and precision and exhibits a mastery over the intricacies of Jewish law, guided by an overarching sense of love and devotion – the primary spiritual impetus fueling his unwavering dedication. It is worth noting that this fervent love did not cause distortion and the author remains steadfast in his commitment to the truth – even if, in the eyes of this critic, he did not always succeed – while striving to reveal the unique characters of the great personalities and historical processes of the entire period.

In many respects, this book serves as a pioneering endeavor in the exploration of synthetic halakhic-literary research. Notably, no other school of thought has yet received such a comprehensive treatment: neither the sages of Spain, who have garnered considerable attention, perhaps due to their historical association with the “Golden Age” that has long captivated researchers; nor the sages of Provence, who have been largely overlooked by historical inquiry (with notable exceptions, such as the contributions of B. Z. Benedikt, as seen in *Tarbiz*, 22). The same holds true for the later Ashkenazi sages, the scholars of Poland in the 16th century, and the subsequent luminaries of Lithuania. Even the literary contributions of the Geonim, and their methods of study, have yet to receive a synthetic examination or systematic summary. This underscores the profound significance of the Tosafists in Torah study, as evidenced by the prioritization of their work in this study. Given the importance of both the book and its subject matter, it is appropriate to offer various systematic and factual comments.

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This extensive study is, of course, grounded in methodological principles and fundamental assumptions that shape its nature and trajectory. One such principle is the comparison with similar parallel phenomena in general history. From the outset, the author declares: “I draw parallels between their world and that of the Christian environment in which they lived and with which they interacted” (p. 6). This assertion is reiterated in several instances (to be noted below). However, in order to avoid “interesting views” (ibid.) and to guard against “hasty generalizations and conclusions” (p. 18), the author cautions against making rash or arbitrary determinations regarding the question of “who is the influencer and who the influenced” (p. 27). In other words, the author typically aims to present parallels without definitively establishing direct influence. Urbach’s cautious and measured approach is commendable since, in cases of influence, whether real or perceived, Jews are often portrayed as the influenced party, with Christians assumed to be the influencers. The impact is usually depicted as predominantly unidirectional.

However, despite the author’s meticulous efforts to collect scholarly parallels, readers may step back and question: what does this parallelism achieve? If the author does not attempt to trace the origins of these phenomena and uncover the historical factors that gave rise to them – and there is ample opportunity for original contributions in this context in a variety of disciplines, particularly in the sociology of science – then noting parallels may serve merely as a display of the author’s erudition or a faint echo of outdated historical methodologies seeking the *Zeitgeist* – “the spirit of the age” – in Urbach’s language (p. 14). If the author’s goal is solely to highlight parallel cultural phenomena without implying influence, then there is no need to restrict comparisons to close parallels in time and place. Conversely, if the intention is to demonstrate a broader unconscious spiritual partnership or a uniform response to similar situations or stimuli – a unity of “challenge and response” in Toynbee’s famous terminology – it would be more effective to reference similar phenomena across different countries and periods. For instance, comparing biblical ethical teachings with other thought structures from China or India would indicate a universal human spirit rather than asserting influence. The fact that the author emphasizes parallels within the same country and century while neglecting other potential parallels – despite their abundance, as we will illustrate below – testifies like a hundred witnesses that beneath the guise of objective parallelism lies a desire to show influence.

In fact, Urbach is ambivalent about whether he is revealing merely parallels or influence throughout his work (see, for example, pp. 27, 56, 525, etc.). Moreover, the parallels he draws are often speculative, as the underlying differences outweigh surface similarities. For instance, Urbach suggests a similarity between the Tosafot and the glosses written on copies of the Justinian Codex during the 12th and 13th centuries. However, he promptly acknowledges a fundamental disparity between the Tosafot and these glosses, rooted in the contrasting nature of the Talmud – a multifaceted compendium of Jewish law and tradition that is far from being a *corpus juris* – and the Codex, which serves as a definitive legal text. Consequently, Urbach narrows the comparison to the Tosafot and Christian glosses on Scripture, i.e., the Vulgate, rather than extending it to the Roman and canonical books of law (p. 28).

The truth is that the comparison between the Tosafot and glosses has lost its relevance. Firstly, the primary characteristic of the work of glossators according to the assessment of Kantorowicz – the “final arbiter” in these matters according to Urbach – are their annotations to legal texts, a tradition that began with Guarnerius, considered the “father of legal science” by Kantorowicz. The glosses on Scripture, in comparison, are of secondary importance. Secondly, if the author highlights glosses on Scripture, similar annotations should be identified in the realm of Jewish biblical interpretation. Moreover, glosses on Scripture were not a novel phenomenon in the 12th century; as early as the 9th century, figures like Walafrid Strabo produced the *Glossa Ordinaria* to the Vulgate, with support from Charlemagne’s descendants. Such parallels merely underscore the prevalence of a specific literary genre that catered to legal professionals and scholars across different contexts and periods.

In this context, two additional points merit consideration:

(a) If we are to draw parallels between the work of the glossators and a Jewish literary tradition, it would be more apt to examine the glosses and comments composed mainly by scholars from Provence. Here, we find shared characteristics such as a concise style, a blend of critical analysis and interpretive additions, and a focus on compiling annotations to legal texts rather than scholarly study materials.

(b) Among the various types of glosses: *summulae, distinctiones, continuationes*, the closest to our subject matter is the *quaestio disputata*, which serves to reconcile formal legal principles with practical realities, bridging the gap between theoretical law and everyday practice. The Tosafot, and *responsa* literature in general, abound with such discussions.

Dr. Urbach shows that Miriam, the wife of Rabbi Tam (although it is unclear why he assumes she was his second wife), was “treated with respect” like other women in Rashi’s family. He further posits – this time not in terms of parallels but of influence – that the portrayal of women in this circle reflects the influence of prevalent views towards women in the Christian knighthood class. Did Rashi and his descendants, who were enjoined by Jewish law “to love his wife like himself and honor her more than himself” need to derive lessons on women’s status from Christian nobility? What connection or similarity, far be it influence, exists between the conception of courtly love and the genuine respect and appreciation for the wives of rabbis or learned or otherwise distinguished Jewish women? Moreover, from a chronological standpoint, the concept of courtly love emerged primarily in southern France during the 12th century, whereas Rashi and Rabbenu Tam lived in northern France, to where these conceptions had not yet spread during their lifetimes.

The author makes a strange comparison between Rabbenu Tam and Peter Abelard, the renowned author of *Sic et Non* and a key figure in dialectical theology. Urbach suggests that a source for Rabbi Tam’s “difficult style and vigorous language” (p. 74) in his correspondence with Rabbi Meshulam of Melun can be found in the *Zeitgeist* of the twelfth century in Western Europe, claiming that his language are “an expression of the period in which he lived.” However, even if we were to entertain the comparison to Abelard, it seems more fitting to associate Rabbi Meshulam with the student who rebels against his teachers and strives for intellectual independence, rather than Rabbenu Tam, who is portrayed as a proud scholar aspiring to halakhic authority. If the author seeks to draw a parallel to Rabbi Tam’s method, it might be more appropriate to consider the personality of Gratian and his seminal work in canon law. In general, the author would have found closer parallels between the Tosafists’ oeuvre and canon law rather than Roman law. The parallels he does find the work of an overly clever historian without there being genuine organic connections between the phenomena being compared.

Regarding the prevalence of vigorous language, including personal attacks and intellectual independence, the author could have derived a more compelling generalization based on Jewish sources alone. By gathering scattered details from his book and adding some that were not mentioned, the author could have constructed a convincing portrayal of mental alertness and fierce independence among Jewish scholars. For instance, while providing characteristic sketches of figures like the Rivan, Urbach notes instances where the Rivan freely criticizes Rashi, his father-in-law (p. 38). Similar observations can be made regarding the Rashbam (p. 45). Therefore, instead of venturing into unrelated territories to find parallels in figures like Abelard and his followers, the author could have highlighted similar stylistic phenomena found in Jewish scholars such as Rabbi Yosef Kara (commentary on Isaiah 2:20), or the Raavya, the Raabad, the Baal HaMaor, and the Ramban (throughout their works). Such a comprehensive description would also have shed light on the strong polemical element present in medieval rabbinical literature.

It is puzzling why the author specifically mentions the issue of a dowry “that they did not collect before the death of their wives” (*dos propheticia*; p. 187), noting that it engaged the glossators of Roman law, considering the plethora of common legal problems. Could it be that it is because Kantorowicz dedicates several pages to this specific problem?

In his discussion about the Tosafists in Ashkenaz in the second generation – both the halakhic decisors and the *Hasidim* – the author highlights a significant difference emerging between the Ashkenazi sages and those of France. He notes that the former gradually began focusing more on books of legal rulings, relegating the composition of Tosafot to a secondary role. The author suggests a parallel between this shift and the emergence of German law books (*Rechtsbücher*), noting that the period between 1200 and 1500 is known as the “period of law books” (p. 285). Here too the slippage towards influence is noteworthy. I will not discuss the validity of this comparison, which appears to be mostly artificial. There are notable differences in structure and purpose between the two types of law books, and they should not be indiscriminately grouped together.

Anonymous authorship is one of the most noteworthy characteristics of medieval writing, prevalent across various fields of study including law, philosophy, and history among both Jewish and Christian authors (see, for example, Crescas’ *Critique of Aristotle*, Wolfson p. 6). Our author (p. 525) restricts his discussion of this phenomenon to the halakhic books and the rulings and collections of Tosafot, likening the “anonymous” nature of Tosafot to the prevalence of anonymity in the canonical legal literature of the 12th century. He interprets this similarity, following Kantorowicz, through a theological lens: “Truth belongs to God, and what human being can call it his truth” (quoted verbatim from Kantorowicz’ work, although not properly attributed; Urbach’s note cites p. 111, but it should be p. 213). This is clearly an unjustified and inappropriate application of Christian theological concepts to Jewish literature. Moreover, there seems to be some confusion regarding the term “anonymity,” which can be understood in two ways: writing anonymously and utilizing previous works without crediting their authors. The theological rationale of intellectual humility is relevant only in the context of the former type of anonymity – writing anonymously. The example provided by the author from *Sefer Hateruma*, where the author’s name is known but the contributions of previous sages are not attributed, falls into the category of “the inferred conclusion is not similar to the proof.” If the theological rationale were applicable, Rabbi Barukh ben Isaac of Worms would have concealed his own name while including the teachings of his predecessors with attribution. Furthermore, Dr. Urbach himself acknowledges at the beginning of his book that initially, there was an attempt to record the names at the beginning or end of the Tosafot (p. 21). The Tosafot, as Urbach describes, remained in a state of flux, with students adding, subtracting, and rearranging content. Therefore, the anonymity practiced here does not stem from theological reasons but rather from a stylistic convention favoring phrases like “some say” or “some interpret” over explicit attribution to specific individuals. Moreover, as the author felicitously explains (p. 538 ff.), the dialectical method, rebelled against anonymity and sought precise primary sources, citing them by name in the Mishnah, Tosefta, midrashim, and the works of the Geonim.

It is interesting that in this chapter, which describes how the Tosafot came into being, the author offers an instructive example of the same kind of parallelism that we mentioned above: the parallelism between similar phenomena in different periods and in distant countries. “The formation of rabbinical literature in Ashkenaz and France mirrors the broader processes observed in the Middle Ages, reminiscent of the ancient methods of composing and distributing Talmudic literature, Mishnaic collections, Talmuds, and midrashim, which was also not dissimilar from the ways of composing and distributing ‘books’ common in the ancient world” (p. 525). This underscores a general similarity in the creation of collective literary works transcending both temporal and geographical boundaries, and any hint of influence or even of a narrower sort of parallelism is unnecessary and gratuitous.

A central yet intricate issue revolves around aligning Jewish law with temporal reality, as described vividly by Urbach: “The tension between the formalist trend, which adheres strictly to the sources and attempts to derive practical *halakha* from them, and the purposive-teleological trend, which seeks to solve the problem posed by reality and answer the question at hand” (p. 571). This dilemma surfaces repeatedly in Urbach’s biographical narratives (see, for instance, pp. 78, 79, 369, 397, 430, and more). He tends towards an easy and convenient historical-practical resolution – one that may be too easy and too convenient – that the exigencies of reality, undeniable as they are, compelled the halakhic decisors to adapt the law or reinterpret it in response to real-life demands. This is exemplified in his characterization of Rabbenu Tam: “Considering them [the conditions of his time] led him to find distinctions, effectively nullifying the *halakha*, as contemporary conditions rendered its fulfillment impossible” (p. 79). However, this solution overlooks inherent difficulties that spur the evolution of Jewish law and the meaning of the concept of “Oral Torah,” as understood by those same traditional Jewish legal scholars being discussed by Urbach. Urbach appears to validate this stance, as it were, by drawing parallels to developments in Roman law, as encapsulated in the proverb of a German scholar regarding the internal process of the development of Roman law: *durch das rimische Recht aber über dasselbe hinaus.*

This comparison invites a comprehensive critique of the author’s approach to this issue. Urbach, as noted, appears to sidestep fundamental questions and oversimplify the problem, stripping it of its intricacies. In every field of study, there exists a notable gap between the realm of abstract concepts and the practical application of those concepts, between the formulation of laws and their implementation, validation, and adaptation to real-world circumstances. This discrepancy is akin to the distinction between “pure science” and “applied science,” or between “law” and “practice.” These two facets should not be reconciled by entirely disregarding one side of the equation. By allowing reality to dominate unchecked, as Urbach seems to advocate, the tension, conflict, and complexity inherent in the development of *halakha* are effectively nullified. If legal evolution is solely contingent upon the “reality of the times and their evolving demands and conditions” (p. 571), then the immanent “problem” within the history of *halakha* becomes a mere figment of imagination. Urbach “succeeds” in alleviating the tension between the “formalist trend” and the “finalist trend” by effectively subordinating the former to the latter. Although he sporadically acknowledges the influence of “verification from sources” and “the opinions of early authorities,” alongside “local conditions and established traditions” (p. 430), these concessions seem merely cursory. In essence, despite the importance that can be attributed to “reality” as a contributor to the development of *halakha* in its various manifestations, Urbach’s approach tends towards an excessive emphasis on the actualization or practical realization of the *halakha*.

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An in-depth exploration of a specific historical halachic school demands an acknowledgment of its place in the historical evolution of Jewish law and a detailed analysis of the innovations within its methodology. While the author endeavors to meet this requirement, it appears that the treatment may not be entirely adequate. At the outset of the book, the author asserts somewhat briefly that “Rabbenu Tam and the other authors of the Tosafot introduced new elements to the Talmud or continued its trajectory and added to it” (p. 19). Towards the book’s conclusion, he revisits this theme, stating: “Here, we witness a sort of leap over the intervening period, from the Geonim and the early sages of Ashkenaz and France up to Rashi... *Baalei Hatosafot* picked up where the Talmud left off. Furthermore, they supplement what the Talmud lacks and articulate what it could have said” (p. 525-526). The author quotes an intriguing passage from the responsa of the Rivash, wherein he attempts to assess the significance of the Tosafists from a historical standpoint compared to the relatively modest literary contributions of the Geonim. However, Urbach does not fully explore the implications of this passage. The words of the Rivash – “…and the second great light is Rabbi Jacob ish Tam, whose likeness in *pilpul* has not been found since the Talmud was completed... because in his days there were few works written on the Talmud... and even in these there was nothing new beyond what is written in the Talmud except for explanations and a few additions” – suggest that the Tosafists introduced a novel and significant dimension to the project of Jewish law, as becomes evident upon closer historical examination.

The primary objective of the Babylonian Geonim and the heads of their yeshivot following the completion of the Babylonian Talmud at the close of the fifth century or the beginning of the sixth century, was to expound upon it, elucidate its intricacies, and make it accessible and accepted in all Jewish communities worldwide. Given the limited comprehension of the Talmud among the populace at that time, their focus lay more on elucidating the “interpretations of the words” rather than delving into the deeper meanings of the content (see, for example, the interpretation of the Geonim to *Seder Taharot* attributed to Rabbi Hai Gaon or Rabbi Saadia Gaon’s commentary on Tractate Berakhot). The complexity of the Talmud necessitated the creation of various reference materials (see, for example, Rabbenu Nissim’s introduction to the *Sefer Hamafte’ah* or Rabbi Paltoi Gaon’s *responsum* regarding these books [*Hemda Genuza* 110]).

In contrast to the extensive *responsa* characteristic of the Middle Ages, which often resembled halakhic treatises, Geonic *responsa* addressed practical, everyday inquiries without extensive elaboration or theoretical discourse. “Responding to the needs of the hour” – in Maimonides’ language (in his preface to the *Mishneh Torah*) when describing the literary activities of the Geonim – set the literary tone of the period of the Geonim; these urgent, essential, but prosaic needs prevented academic expansion. Both Maimonides and the Me’iri in his introduction to the *Bet Habehira* on Tractate Avot underscore the Geonim’s meticulous attention to detail, focusing on specific questions, interpretations of tractates or chapters, and isolated statements, rather than comprehensive analyses of the entire Talmud. “And there was nothing in them to satisfy the hunger of the students.”

The endeavor to “encompass the entire Talmud” through a comparative and critical approach, providing a comprehensive overview that addresses issues holistically, identifies challenges along with their resolutions, recognizes contradictions, and reconciles them through logical analysis of fundamental concepts, was pioneered by the scholars of the Tosafot. Simultaneously, it is important to acknowledge for historical completeness, the sages of Provence also embarked on a similar path. They developed the critical method, known in traditional circles as *lamdanut*, which left a lasting impact on Talmudic study, influencing figures from Nachmanides and the Rashba to Rabbi Akiva Eiger and Rabbi Chaim Soloveitchik of Brisk. For the first time, we witness a profound discussion to clarify intricate legal terms that recur in so many places throughout the Talmud, such as *safek sefeka, bereira, hatikha naaseit nevela, veset,* *hazaka, migo*, and others. By aggregating similar discussions, conducting comparative analyses, and engaging in conceptual problem-solving, these early authorities shed light on numerous obscure matters. Without their contributions, our understanding of these concepts would remain obscure. The Maharshal’s enthusiastic praise captures the significance of their work: “Were it not for the French sages, the Tosafists, who consolidated it like one ball... and maneuvered what was seemingly a dream with no interpretation from place to place... so that the Talmud became straightened and connected.”

Urbach’s portrayal does not succeed in painting a full picture of this – neither its historical development nor its systematic side. Mere assertions that “the Tosafists adapted to themselves the ways of discussion of the Amoraim and the special technique of their expression” (p. 526) fail to capture the unique essence of the Tosafist approach since these virtues are the property of many. While the final chapter offers some insights into Tosafist methodology, it lacks systematic clarity. Although Urbach touches on certain aspects such as textual examination, editing practices, and the use of Jerusalem Talmud and *midreshei halakha*, the discussion lacks depth regarding the internal mechanics and the enduring vitality of the method of the Tosafists. A comprehensive analysis is warranted to define the core tenets of the Tosafist method and delineate its early and later developmental stages. Such an analysis should explore the halakhic intricacies of their approach and uncover the underlying principles that contributed to its efficacy. This examination is all the more essential in the biographical narratives since Urbach’s discussion there is enslaved to psychosocial analysis. For example, while we learn of Rabbenu Tam’s independence, pride, and eminence, a clear exposition of his analytical methodology is noticeably absent.

The author comments in one place – in reference to *aggada*, but no less relevant to matters of *halakha* – about “a technique of settling difficulties and removing contradictions” (p. 553). Rabbenu Tam is one of the leaders in establishing such a critical methodology and setting its foundations. It is reasonable to assume that the framework of this technique, which replaces logical conceptual analysis, is discernible in his work. Therefore, it would be valuable to have scrutinized Rabbenu Tam’s writings to identify where he offers explanations based on such analysis and when he resorts to more technical responses such as “it is a rabbinic enactment” or “this is rabbinic and this is a Torah law.” By examining Rabbenu Tam’s thought process and methodological evolution, we can gain insights into the refinement of his approach over time. This approach extends to Tosafot as a whole, as they employed the same critical dialectic method embraced by Rabbenu Tam, including Ri, Raavan, Riva, *Sefer Hateruma*, *Sefer Yihusei Tannaim Veamoraim*, *Sefer Mitzvot Gadol* and *Sefer Haroke’ah* (p. 523). This method did not simply emerge but evolved and matured within the confines of the *beit midrash*, in all its sharpness and precision.

In these factual and systematic comments, our aim is not to diminish Dr. Urbach’s many merits. A reviewer, who seeks to make a small contribution to the discipline under discussion will tend to focus on its weaknesses or negative aspects while skimming over the book’s positive, original, and refreshing elements, with the assumption that interested readers will appreciate its virtues. It is undeniable that Dr. Urbach’s book contains far more positives than negatives. There are only a few points where a critic seeking to innovate or make his mark can find traction.

This impressive study tackles a central and complex subject, demanding repeated reading by critics and readers. Only a select few are armed with the halakhic and historical knowledge to undertake an endeavor of this scope. The breadth of material in this book is such that one person alone cannot exhaust it, and it would be unreasonable to expect such exhaustive treatment. Dr. Urbach’s decision to publish the book in its current form rather than waiting to perfect it further is commendable. His work sets a standard for scholars of our generation and obligates them to engage in detailed monographic research while continuing to clarify details and conclusions. Analysis precedes summarization, but it is still valuable to publish summary works that demonstrate a comprehensive understanding of sources and a broad historical perspective.

With its publication, the book has firmly established itself as an essential work in both Torah and academic scholarship, and no amount of critique can detract from its significance. We can only hope for a follow-up edition that incorporates further research and novel interpretations from Dr. Urbach, as he undoubtedly continues to deepen his insights with each passing day, with the help of God.