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THREE THEMES IN THE *SEFER ḤASIDIM**

By

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I

לא מצאנוה שגיאא כח — לא דברה כנגד רצון הבורא ולא כפי הצורך לאדם (1076).

It is not simply the bounty of novel directives found in *Sefer Ḥasidim* that constitute the most puzzling feature of that work, nor even their occasional strangeness, but rather the awesome authority claimed for these prescripts. Divine punishment of the direst sort awaits those who fail, even unwittingly, to comply with them. Indeed, entire communities have been doomed by just such unintended transgressions. Yet the behests which fill

*Profs. G. Scholem, J. Katz, H. H. Ben-Sasson, and Morton Bloomfield were kind enough to comment on the manuscript. For the errors and perversities still remaining the author alone bears responsibility.

All numerical references refer to *Sefer Ḥasidim* (Berlin, 1891). When in the course of a sentence a simple numeral would be unclear, it has been prefaced with "S.H.:" When reference is made to the Bologna edition, this is specifically indicated. The Safed edition of the *Hokmat ha-Nefesh* was used. All manuscripts cited were viewed at the Institute of Microfilmed Hebrew Manuscripts of the Jewish National and University Library in Jerusalem.

the pages of *Sefer Ḥasidim* are frequently neither simply aids to moral edification nor genuine extrapolation of Talmudic dicta—two types of dictates which could be supposed to possess God’s tacit endorsement. What is mandated there amounts to a new world of ritual, a fresh religious sensibility, at times even a new morality, and all these make bold claim to Divine sanction. What is the basis, we are led to ask, of the Hasidic *mandamus*? What sustains the Pietists’ profound assurance that they are privy to God’s will? Have they had some recent revelation authorizing them to speak in the name of the Lord?¹

We might begin by turning to the introductory words with which both compilers of *Sefer Ḥasidim* thought it proper to open their respective collections:

[This book] is written for those who fear God and are mindful of His name (*le-yir’e ha-shem u-le-ḥoshewe shemo*) (cf. Mal. 3:16). There is a Hasid whose heart desires, out of love for his Creator, to do His will, but he is unaware of all these things [i.e., demands]—which thing to avoid and how to execute profoundly (*le-ha’amik la-’asot*) the wish of the Creator. For this reason the *Sefer Ḥasidim* was written so that all who fear God and those returning to their Creator with an undivided heart may read it and know and understand what is incumbent upon them to do and what they must avoid. (Bologna)

For those who fear God and are mindful of His name do I write this book of remembrance (Mal. 3:16) so that they may learn [how] to fear God. . . . There is a Hasid whose heart goes out to [i.e., aspires to do] the will of his Creator but he does not perform as many good deeds as the wise Hasid . . . for [these demands] were not passed on to him by his teacher and he was not wise enough to infer them by himself, but had he known he would have accepted and fulfilled them. For they [our Sages] have said [Berakot 17a] “A man must be cunning in the fear [of the Lord] (*’arum be-yir’ah*). . . .”

And we find in the Torah that anyone who was capable of understanding [a demand] even though he was not [explicitly] commanded is punished for not realizing [the requirement] on his own. “And

1. Though prophecy is a phenomenon known to Hasidic circles and R. Samuel Ḥasid is called in certain sources R. Samuel the Prophet (G. Scholem, *Ursprung und Anfänge der Kabbala* [Berlin, 1962], pp. 211-18), prophetic authority does not underlie *Sefer Ḥasidim* nor is any such claim, whether explicit or implicit, ever set forth. Throughout *Sefer Ḥasidim*, the *ḥasid* or *ḥakam* is not a figure who has been vouchsafed communication with the transcendental world, but one who is **בְּקִי בְּעִנְיֵן הַבּוֹרָא** (*S.H.*, 1328). Knowledge and perception of a unique sort rather than illumination empower the *ḥasid* to speak.

Moses was angry with the officers of the army . . . who had come from the service of the war. And he said to them, 'Have you let all the women live?' (Num. 31:14–15). Why did they not reply, "You did not command us, for you did not tell us to kill the women"? But Moses knew that they were wise and perspicacious enough to infer [this comand] on their own. Similarly, why did not Balaam reply to the angel's question, "Why have you struck your ass?" by saying, "What sin was there in striking my ass, seeing she crushed my foot against the wall . . . [for no good reason]? . . . How have I sinned?" But he should have thought that perhaps God was opposed, for He only gave him permission to foretell the future. . . . [Similarly Balaam] said "I have sinned for I knew not that you stood in the way against me" (Num. 22:34). Quite the contrary, the reverse conclusion should be drawn: because he was unaware that the angel stood against him, he did not sin. But [what he meant in saying "I have sinned" was] that "I have sinned in that I did not give heed to think, I did not probe and investigate what [other] sin might have caused this." From here we may infer that man must be cunning in the fear [of God] since they punish him for his ignorance; for one must know and probe, for in the presence of the Ruler you cannot acquit yourself by saying, "It was a sin committed out of ignorance . . ."

For this reason I set myself to writing a book for the God-fearing (*yir'e ha-shem*), lest they be punished and think [it is] for no reason. Far be it from God to do such a thing! (Gen. 18:25). . . . Therefore I have set forth this Book of Fear so that those who fear the word of God can take heed. "More than these, my son, must you take heed" (Eccl. 12:12).

Embodied in these passages and others, underlying much of *Sefer Ha-sidim*, is the idea that the will of God, the *reẓon ha-Bore* has not been cabined or confined within the overt dictates of the Torah, written or oral. A few of the Law's imperatives only imperfectly mirror the Divine wish, for that supreme volition was occasionally tempered by the Creator in consideration of the frailties of man² and the practical demands of life.³ The very act of legislation effected a further diminution, for dealing necessarily with the generality, little provision could be made for the broad spectrum of individual cases, and thus, no expression could be given to the infinite gradation and nuances inherent in the fullness of God's will.⁴

But far more significant than the occasional instances of contraction are the domains of silence. There are tracts, vast tracts, of human feeling and behavior of which the Divine will is profoundly aware, indeed, acutely de-

2. 1004, 1100, 1110, 1111, 1143.

3. 1076.

4. 914, 1289.

manding, but for which no directive as to its governance is to be found in the pages of the Law. Unincorporated, this will did not fade away, nor was it buried in the innermost recesses of the Divinity, inscrutable and irrelevant to man. The vast disparity between Biblical and Rabbinic norms, and the testimony of God's actions (both His wrath and His favor) in the Bible and in daily experience, stand witness to the operation in history of standards of judgment other than those articulated in the Torah.⁵ This potent norm is the Divine will in its plenitude, and the fabric of human destiny is woven by compliance and disobedience to its commands.⁶ This is the key to many a surprising Biblical narrative and contemporary event. Man's destiny, however, could not be shaped by this norm had he not been first summoned to compliance and given the instrument of its discernment.⁷

5. 1, 1006, 228, 15 (p. 21), and by implication much of *Sefer Ḥasidim*.

6. Unwittingly much of *Sefer Ḥasidim* is a reproof of their doctrine of predestination (גזירה), an indication of how little organic relationship there is between the received theoretical principles of the movement and their living thought.

7. For the conscious formulation by R. Judah Hasid that new religious directives lie buried in every Biblical passage, see *Moshav Zekenim 'al ha-Torah*, ed. Sassoon (London, 1959), p. 84, taken from the Commentary of R. Zaltman, son of R. Judah the Ḥasid, on the Torah, ms. Cambridge, Add. 669.2, fol. 23v:

מ"א היה מקש' למה אנו מברכים בברכת התורה והלא כמה פסוקי' יש שאין בהם תורה, והוא היה [מתרין] שמבראשית עד סוף החומש אין ג' פסוקי' אשר אין בהם דין יוצא מהם, או איסור והתיר. והק' [שו] לו הרבה ותירץ הכל. והק' אלופי עשו ותי' ... וקש' מויהי מקץ חלום ותי' איסור והתיר יש... וכן אמר לדקדק בכל תורת משה שאי אפש' בכל ג' פסוקי' This is taken up and elaborated by his pupils in *S.H.*, 1826, 1829, 1831. See also 1514:

כי יש רמזים וסודי התורה ולא יוכלו לדעת עד כמה דורות... והקב"ה אמר עתיד אותו צדיק פלוני שידע באותו דור לאחר כך וכך שנים יעמד ויגלה אותם סודות שלא נודעו קודם. אותו פלוני יעשה ספר מאותו דבר ופלוני מאותם דברים ויעשה אותם מצוה כמו שכתוב ביאשיהו כמנין יאשיהו"ו שנים עד שנעשה הפסח... וכתוב סוד ה' ליראיו וכתוב את ישראלים סוד... כן כל הנסתרות שרמוזים בתורה ולא כתבם בפירוש כדי להרבות שכר ליראיו שיחפשו אחריהם שנא' תבקשנה ככסף וכמטמונים תחפשנה אז תבין יראת ה' ודעת אלהים תמצא, ועוד לא רצה שידעו אותם שאינם ראויים להם.

See also *Roḳeah*, *Hilkot Ḥasidut*, *Shoresh Rosh Ha-Ḥasidut Bi-Tehillato* (end): וכל מעלות יש לו לחפש בתלמוד ובירושלמי ובמדרש ויעשה ויזכה את העולם ויחשוב בלבו שמא זה רצון בוראו.

The scanning of midrashim for new imperatives is echoed in 1667. (Cf. the remarks of R. Eleazar of Worms published by J. Dan in *Zion*, 29 [1964], 171.) (The bulk of the first and the entire second section of this essay were written in the spring of 1967. J. Dan informed me at the time of the existence of the Cambridge ms. which had previously been in the possession of S. D. Luzzato, and described by him in *Kerem Hemed*, VII, 68–71; see *S.H.*, Introduction, 7. Since then Prof. H. H. Ben-Sasson has drawn attention to this ms. in "Ḥaside 'Ashkenaz 'al Haluḳkat Kinyanim Ḥomriyyim we-Ruḥaniyyim Beyn Bene ha-'Adam," *Zion*, 35 [1970], 61–79.)

To recover, to lay bare this Will in its fullness, to mold their lives in its accord and to guide others through its sinuous paths was the self-appointed task of *Ḥaside 'Ashkenaz*.

When the Pietists refer to this larger Will, especially in their declarative moods, they often speak of it as the *reẓon ha-Bore*, the Will of the Creator.⁸ In Hasidic thought, the *Bore* denotes the hidden Divinity as opposed to the revealed *Kabod*. The *Bore* is hidden not in the sense that He is unknowable or unfathomable, but that unlike the *Kabod*, He is not subject to direct sense perception. His existence, however, may be inferred from hints and signs strewn by Him throughout nature (*zeker 'asah le-nifle'otaw*) if they are but viewed in the proper light.⁹ A corresponding duality in the nature of Revelation underlies Hasidic thought and their terminology is not wholly fortuitous. There is the manifest revelation of the Written and Oral Law, a myriad of directives given to Moses at Sinai and to be found explicit in the traditional corpus. Then there is the far more vast hidden revelation of God's will coded into Scripture and history and awaiting its decipherment.¹⁰

This implicit doctrine of dual revelation bears a familial resemblance to the common idea of the "book of creatures," which, in one form or another, shaped the entire medieval perception of the outside world and, as

8. See the opening sections of both editions of *Sefer Ḥasidim* cited briefly *supra*, pp. 312–313. See also *S.H.*, 27–28, which form part of the same programmatic introduction, and see the use of רצון הבורא in the passages cited in note 50 in light of our remarks there. Note also עומק הלכות הבורא, להעמיק לעשות רצון הבורא, in the above passages, in 984 and (ed. Bologna) 10, in light of the use of the term עומק in Hasidic writings for hidden Divine lore (J. Dan, *op. cit.*, [*supra*, n. 7]. p. 170, n. 9). See also Y. Baer, "Ha-Megammah Ha-Datit Ha-Hebratit shel Sefer Ḥasidim," *Zion*, 3 (1938), 8. *Ḥaside 'Ashkenaz* had a congenital difficulty in adhering to any fixed terminology, even in their esoteric teachings (G. Scholem, *Major Trends in Jewish Mysticism* [New York, 1946], p. 110; see also *Journal of Jewish Studies*, 18 [1967], 75), and not surprisingly *reẓon ha-Bore* is often used colloquially with no special connotation (e.g., 114, 244, 305), just as the Larger Will is sometimes referred to as רצון הקב"ה (*infra*, n. 50).

9. J. Dan, *Torat Ha-Sod shel Ḥasidut 'Ashkenaz* (Jerusalem, 1968), pp. 84–94.

10. It should be emphasized that the idea of implicit revelation or Will of the *Bore* is not being inferred from Hasidic terminology (a hazardous task at best), but from the content of the entire *Sefer Ḥasidim*. The correspondence of this notion with other aspects of thought is simply being pointed out and a correlation suggested. If the reader feels that those similarities are fortuitous and prefers to speak of this second revelation simply as a "Larger Divine Will" rather than as the "Will of the Creator," I have, basically, no quarrel with him. (The subsequent remarks in the text [pp. 318–319] should preclude any misunderstanding that each aspect of the Deity is responsible for a separate revelation. Nothing could be further from the thoughts of the Pietists.)

it also underlay most of its art, found expression in every frontal, portal, and stained-glass window of the cathedrals of the time. The doctrine taught that God has declared Himself in two manifestations: in the Holy Scripture and in the Book of Nature.¹¹ The world of sense is what it appears to be—a structure of physical objects—but it is at the same time a mirror and mystical typology of the attributes of the Creator Himself.

The world is a book written by the hand of God, in which every creature is a word charged with meaning. The ignorant see the forms—the mysterious letters—understanding nothing of their meaning, but the wise pass from the visible to the invisible, and, in reading nature, read the thoughts of God.¹²

The differences between the Larger Will of the German Pietists and the medieval one that went back ultimately to the Epistle to the Romans¹³ are of course considerable. The Hasidic doctrine dealt with Divine imperatives, the Christian one with Divine attributes; the former asserted deductions of new truths, the latter symbolic reflections of known ones. They share, however, one common assumption: outside the binding, canonized corpus,¹⁴ a “larger scripture,” as it were, exists which can yield up religious truths upon proper inspection. Did some Hasid perhaps hear an outdoor preacher, who followed the advice that Guibert of Nogent (d. 1124) gave in his sermon manual and brought proof of the faith from natural phenomena?¹⁵ The doctrine of “hints and signs” (*zeker ‘asah le-nifle’otaw*) seems clearly patterned on the widespread notion of *vestigia dei*,¹⁶ and it is possible that

11. See, for example, R. Javelet, *Image et ressemblance au douzième siècle*, 2 vols. (Paris, 1967), especially I, 227 ff.; E. R. Curtius, *European Literature and the Later Middle Ages* (New York, 1953), pp. 319 ff. (though I am in no way arguing for any “book” *topos* in Hasidic thought).

12. E. Male, *The Gothic Image: Religious Life in France of the Thirteenth Century* (New York, 1958), pp. 29 ff.

13. I:20 *Invisibilia enim ipsius a creatura mundi per ea quae facta sunt intellecta conspiciuntur*.

14. Binding corpus amongst Jews meant the Halakic portions of the Pentateuch as interpreted by the Oral Law. All narrative portions of the Bible would be part of the “larger Scripture.”

15. Curtius, *op. cit.*, p. 318. The manual was written sometime before the year 1084; see J. F. Benton (ed.), *Self and Society in Medieval France: The Memoirs of Guibert of Nogent* (New York, 1970), p. 276.

16. Certain ideas suggest themselves naturally to the imagination, and their occurrence in two adjacent societies does not necessarily indicate influence. Others are so strange and novel that they can emerge only in a specific climate of opinion. Though the Hasidic system of penance was probably of alien derivation (*infra*, p.

the Will of the *Bore* is ultimately no less derivative of medieval commonplaces. Not that this idea of a second, implicit revelation was consciously adopted by the Pietists—note that while everywhere assumed, it is never explicitly formulated—the notion (a neutral one in essence) was rather absorbed from the environment unawares and evolved in time into the major unarticulated premise of the *Sefer Ḥasidim*.

But so radical and alien an idea could hardly have achieved unquestioning acceptance unless it answered to a profound anterior need. Underlying the movement of *Ḥaside 'Ashkenaz* was the recent discovery of man and his hitherto unsuspected capacities. In the first fresh look at human nature since the Midrash, the Pietists uncovered a creature who (among other qualities) possessed infinite resourcefulness, restless energy, and was capable of heroic exertion in achieving his own ends, and they insisted that religion demand of man the equivalent mobilization of his abilities for the Divine service.¹⁷ The traditional requirements touched only a fraction of his capacities, and he who contented himself with this was no true worshiper of God. This discovery of man and his potentialities was not an opening to Humanism, as in several strands of Christian thought of the time,¹⁸ but a summons to an infinitely more comprehensive submission to the Heavenly yoke. It was self-evident to the Pietists that far more had been exacted of man than what the received literature recounted—“We have not found it (the Torah) of ample strength (Job 27:23):—the Torah did not express the will of the Creator, nor did it address itself to the needs of man”¹⁹—a second more demanding revelation simply *had* to exist, and any

320), one can easily imagine such practices springing up indigenously. That sin must be expiated is instinctive enough a feeling, and similar doctrines of penance could well emerge in two parallel cultures independently of one another. The notion of inferring God's omniscience from the skills of a bloodhound in tracing its quarry (Dan, *op. cit.*, p. 90) does not on its own present itself to the mind. Dogs are not naturally associated with the Divinity, nor do the faithful as a rule draw sustenance for their belief from the canine population around them. Only in a culture which systematically viewed the world and its creatures as symbols of religious truths, and which, as a consequence, engaged in religious exegesis of Bestiaries (e.g., Male, *op. cit.*), could some thinker find confirmation of Divine attributes in the proficiency of a bloodhound.

17. 985, 2 (p. 4), 15 (p. 17), 359, 476 (775, 755, 960). *Roḳeah, Hilkot Ḥasidut, Shoresh Zeki'ot 'Arum Be-Yir'ah*. The concept of *ערום ביראה* is a leitmotif of Pietist thought.

18. R. W. Southern, *Medieval Humanism and Other Studies* (New York, 1970), pp. 29–60 (and more questionably C. M. Morris, *The Discovery of the Individual, 1050–1200* [London, 1972]).

19. *S.H.*, 1076: לא מצאנוהו שגיא כח—לא דברה תורה כנגד רצון הבורא ולא כפי הצורך לאדם.

passing remark about another “larger scripture” containing religious truths would have fallen on fertile soil. The basic impetus was indigenous, the “Will of the *Bore*” was simply the mold into which Hasidic aspirations were cast.

What the Pietists envisioned, and this must be emphasized, was not two bodies of rules founded on distinct principles running parallel to one another, but rather a single Divine point radiating outward, forming ultimately two concentric circles. The expansion of both these perimeters was the object of their endeavors, indeed shared a common impulse. To scan the horizon for new dictates of God could take on full meaning only if the many already revealed had been fulfilled to their utmost. In their quest to reach the uttermost limits of the Law and to ensure its compliance, the Hasidim evolved a policy of systematic stringency (*hahmarah*) and of erecting fences about the Law (*seyag*),²⁰ which, though beginning as the program of an elite, in the end altered the contours of their community’s conduct and outlook. In the early fourteenth century, the Halakic cultures of Ashkenaz and Sefarad were moving ever closer together as R. Asher assimilated in his work the accomplishments of Spanish and Provençal scholars and the school of Gerona adopted and refined the Tosafist approach. Yet when the next historical confrontation took place at the end of the sixteenth century, it was clear that Ashkenazic and Sephardic thought were operating in effect in separate worlds. The Code represented the normal increment of Halakic development; Isserles, the equivalent increment permeated by a sense of inadequacy and proudly molded by both a popular and judicial tendency for stringency.²¹ The Tosafist movement, which transformed the skeletal demands of the *Ma’ase Ge’onim* and the *Ha’Oreh* into the comprehensive regulations of the *’Or Zaru’a* and *Rabyah*, which had elicited principles upon principles long buried in the Talmud, in short, which had pushed the religious norm to undreamt-of frontiers, was in consonance, then, with the deepest drives of the Pietists. Though Hasidism was born in part as a reaction and corrective to the burgeoning legalism of the twelfth century, the movement was at the same time committed to the latter’s dynamic. The very aspirations of *Ḥasidut* bound them

20. 1661, 1664, 1006, 1939, (1838 end), (cf. 1503).

21. *Teshubot Ha-Bah Ha-Yeshanot* (Frankfurt, 1697), 79. It is fashionable nowadays to decry the historiography of the *maskilim*, notably *Dor Dor we-Dorshaw*, and not without justice, but it should be remembered that they recognized a *humra* when they saw it. Their error was not so much of fact, as in the belief that stringency and leniency are meaningful, indeed *the* meaningful, rubrics of legal history.

22. On our use of the term “normative,” see *infra*, p. 326.

fast to the dialectic of their French brethren with its ceaseless aggrandizement of the Divine dictate. In the mind of the yoke-seeking, norm-intoxicated Pietist, there was little doubt that a double duty had devolved upon the true believer: to develop to the utmost the Law that had been revealed, and to seek out those Divine precepts imbedded elsewhere—in history and Scripture.

The outer of the two concentric circles, the Larger Will of God which the Hasidim reverently decoded and made explicit, shows upon inspection to be, not surprisingly, the cumulative cluster of Hasidic traditions, principles and beliefs elevated to normative²² status, and, as such, precludes unitary definition. The image of an unseen force shaping man's fate formed easy alliance with the superstitions of the age, once they were stripped of their Satanism,²³ and in the thicket of Hasidic dicta it is often difficult to disentangle ritual from magic. Scrolls, phylacteries, *mezuzot*, and books of the Law, any repository of *kedushah*, is hedged with a multitude of new restrictions, a number of which can only be understood as designed to protect against the mighty tabu of the "holy," as are all their directives concerning matters involving the Divine name, such as oaths and interdicts. Frustrated in their efforts at communal reforms,²⁴ they strove to build, at least, pure family units. These efforts, coupled with the traditional concept of good lineage (*yihus*) and their own conviction of ancestral merit (*zekut 'abot*) as one of the major instruments of Providence, turned their atten-

23. Despite one or two references to *ha-shed* (*diabolus*) (see Baer, *op. cit.* [*supra*, n. 8]. p. 16), the very rich Hasidic world of demons has been stripped of its Satanic properties. In *Sefer Hasidim* (as in most Jewish literatures, Prof. Scholem informs me) *shedim* are troublesome, at times even physically dangerous, but they are not evil. They are never agents of Lucifer seeking to ensnare man in sin. This is all the more remarkable in view of the fact that contemporary Christian demons are invariably the emissaries of the kingdom of darkness (cf., for example, Caesarius of Hesterbach, *Dialogus Miraculorum*, Bk. XI). The Hasid was impervious to such influences, for the purity of the Saadianic Deity and the awesome omnipotence of the Throne-God of their Merkabah traditions prevented him from seriously entertaining the idea of a force standing in opposition to His will. Contemporary demons were accepted as a natural but not theological force. For an extreme formulation of this position, see *'Or Zaru'a*, II, 147:
 ה"ר יהודה יוסף, פירש רש"י דלא מנטר שבתא מורי
 ה"ר יהודה יוסף, פירש רש"י דלא מנטר שבתא מורי
 דיילמא יוסף, פירש רש"י דלא מנטר שבתא מורי
 ה"ר יהודה יוסף, פירש רש"י דלא מנטר שבתא מורי
 דיילמא יוסף, פירש רש"י דלא מנטר שבתא מורי
 ה"ר יהודה יוסף, פירש רש"י דלא מנטר שבתא מורי
 דיילמא יוסף, פירש רש"י דלא מנטר שבתא מורי
 חכמים. ושאלו ממנו א"כ למה בא על אשת איש והשיב וכו'.

and see now the passage in the Bodley manuscript cited by J. Dan, *'Iyyunim Besifrut Ḥasidut 'Ashkenaz* (Ramat Gan, 1975), p. 142. (The second word in the passage should read נבעלת.) See also J. Trachtenberg, *Jewish Magic and Superstition* (New York, 1939), p. 35.

24. Cf. *infra*, pp. 327–337.

tion to marriage. Popular notions of romantic predestination fused with their own doctrine of celestial archetypes and provided a theoretical framework for the elaborate principles of matchmaking which the Hasidic movement produced. Prayer, not surprisingly, received its set of elaborate instructions, as did Sabbath, charity, Torah-study, dietary laws, and the very prominent relationships with the world of ghosts. From their Christian environment they evolved an elaborate doctrine of penance²⁵ and emphasis was placed upon the importance of humility in the life of the Hasid. Honesty of the highest order is made imperative and directives abound for the conduct of private and communal affairs in the spirit of humaneness and equity.²⁶

25. Baer, *op. cit.*, pp. 18–20.

26. The phrase is Scholem's (*op. cit.*, p. 94) ("humaner Billigkeit"), and deserves, I think, wider currency. A number of these directives are assumed under the name of **דִּין שְׂמִים**, a category which has achieved such prominence in recent historiography that a few words may be in place. After reading the relevant sections in Aquinas on *jus divinum* or *lex divina* (*Summa Theologica*, I, II, Q. 91, A. 4, 5), it becomes difficult to see what it has to do with **דִּין שְׂמִים** understood as "the natural law implanted in man's conscience." *Lex divina* is the exact reverse of that. It is a revealed code given to man precisely because the fallibility of his reason and instinct left him in need of explicit directives. The passage sometimes cited in proof of the similarity of these two concepts (*Sum. Theol.*, I, II, Q. 96, A. 2) deals with Divine Providence and not at all with Divine Law. Another writer has cautiously termed *din shamayim* a "kind of natural law." But then the identity of terms is lost, and it is this identity which provides the simplest evidence of overt influence. It is wisest to eschew the term "natural law" altogether, for it assumes conceptions of an ordered cosmos, a universal reason, a community of mankind, and the like, ideas as alien to *Ḥaside 'Ashkenaz* as a motor car. The dozen or so instances of *din shamayim* scattered about the two thousand sections of *Sefer Ḥasidim* represent in no sense the perception of a fixed and eternal body of general truths which serve as a basis for the construction of a natural ethic. They are rather a spotty group of glosses. All are "ad hoc" dicta, the predominant number of which treat restitution in cases of theft or damage (22 [twice]; 43; 90, 89, 1888, 1964; 632; 1323 [164]), as do the dozen cases of **דִּין שְׂמִים** in the Talmud (*Baba Kamma* 55b–56a, 118a, *Baba Mezi'a* 37a), clustered thickly in the sixth chapter of *Baba Kamma* and after which those of *Ḥaside 'Ashkenaz* are clearly patterned. They form an instansial, and occasionally, sensitized expansion of the Talmudic principle of *din shamayim*, namely, that the moral obligations in tort exceed the legal ones. This is expanded in one or two rulings to include waivers where the full exercise of one's rights would lead to or in itself be an injustice (1207, 1214, 1313) and then to certain specific judicial corrections when the execution of the general (and of necessity uniform) ordinance would be palpably unfair (1381 [see 1005] and 1289 [see 1840] and see *supra*, p. 315). The term is employed once with regard to filial piety (1725–6), again in admonishing against supping heartily at a miser's table (848), and yet once more in emphasizing the importance of intent in evaluating human actions (1673, see *infra*, p. 324). If correlatives must be had for its predominant use, a rough

Personal ethics and sensitized social relations form a considerable, and certainly attractive, part of the Divine will. However, it is, as we have seen, far from the whole of the Pietists' conception of that imperative. The traditions upon which they drew had ever refused to admit a distinction between ritual and morality, nor could the Hasidic mentality have ever maintained one. Significantly, the trenchant terms, commandments "between man and God" (*beyn 'adam la-ma'om*) and "between man and his fellowman" (*beyn 'adam la-habero*), make no appearance in their writings. Before one rashly locates the movement's center of gravity, it would be wise to recollect that in the classical formulation of *hilkot hasidut* by R. Eleazar of Worms, the social teachings, as distinct from those of personal virtue, are anemic if not absent altogether,²⁷ and that the famous will

approximation would be found in equity, which, as Maitland has eloquently reminded us, is never a body of law but a collection of appendices.

דין שמים actually is but a small, and indeed rather prosaic fragment of the larger revolutionary *רצון הבורא*. As Assaf (Baer, *op. cit.*, p. 13, n. 25) already noted, there is little in the Hasidic *din shamayim* which has neither Geonic precedent nor Spanish parallel. For sooner or later any legal system must provide for effectual redress, where by reason of the special circumstances of the case the redress at law is inadequate. This universally felt need could be taken by *Haside 'Ashkenaz* as part of God's larger will and a ready-made term, דין שמים, easily given it, for it was only an elaboration of that Talmudic principle enunciated in passages known to every schoolboy. The quotidian significance of ד"ש was miniscule. How often was one involved in torts and thefts? Its invocation by a judge of Hasidic persuasion would awaken few murmurs among his non-Hasidic colleagues for they shared similar goals. (Anyone who imagines that many judges let an instance of תליירו תליירו (Baba Batra 47b) pass unimpeded through their hands is rather naive.) There is no precedent or parallel to the hundreds of prescriptions of the *רצון הבורא* which flowed ceaselessly from the Hasidic pen. It altered the contours of the Pietists' daily life and could only arouse astonishment, consternation, and opposition among those in whom the ideals of the movement struck no responsive chord. It is in the sweeping *רצון הבורא* that we can grasp the Hasidic daring and it was here that the clash with the establishment was brewing. (As to the claims of "latent antagonism" between דין שמים and דין התורה, see *infra*, pp. 355–356.)

27. Professor Ben-Sasson has recently (*op. cit.*) drawn attention to the absence of social protest in R. Eleazar's writings. The latter's indifference to our way of thinking goes much further than that. Not only is R. Eleazar without any desire to alter the social order, but even on a personal plane, the quality of man's relationships with his fellow man scarcely interests him. In the exposition of Pietism that he prefaced to the *Rokeah*, the qualities of justice and benevolence receive little emphasis, and in his portrait of the Hasid sensitized social relationships are barely adumbrated. The *Hilkot Hasidut* of R. Eleazar are a propaedeutic to spiritual ascent and self-perfection, in which man's dealings with his brethren hardly figure. When they do appear, it is primarily to the extent that such intercourse affects not the other person's life but the Hasid's own moral development. Yet the formulations of the *Ba'al Ha-Rokeah*, inward turning and "self-centered" as they be, were accepted by

attributed to the movement's founder, Rabbi Judah Ḥasid, is without any ethical prescriptions whatsoever.²⁸

The significance of the *reẓon ha-Bore* lay not in the tension between two concurrent norms—this is largely illusory—but in the proclamation of the inadequacy of the Law to encompass experience, to bring within its orbit both the larger and more interior spheres of human activity. It went yet deeper. The Larger Will of *Ḥaside 'Ashkenaz* was an assertion that man, in his relationship to himself and to God, to the Divine worship and to his fellowman, to the demons and the dead, to places and to things, was in need of unremitting guidance which the traditional corpus of Halakah and Aggadah could not provide. This notion marked for Ashkenazic Jewry the advent of the Middle Ages. Even in the most norm-oriented society, law is only a skeletal structure. The patterns of thought and of imagination, the values and ideals of conduct, the ethos and arete are the flesh and blood of any civilization. By their twin achievements in Halakah and Midrash, the Tannaim and Amoraim had produced such an integrated whole and provided Jewry with its cultural matrix. For many generations, while outer life was regulated by the Law, the spiritual sensibilities of a nation were nurtured on the Aggadah. From the writings of R. Moses Ha-Darshan, one can see that in the early eleventh century the Midrashic outlook had not only sustained itself, but was still creatively alive. By Rashi's time creativity had ceased; yet it is clear from his commentary on the Torah that the world of the Aggadah remained the basic frame of reference, and that the mind and soul of pre-Crusade Jewry still found rest in it. Rashi extrapolated from tradition what he was most attuned to, but he experienced those parts traditionally. There is selectivity in his outlook but not reinterpretation. In the course of the twelfth century, however, renascent

friend and foe alike as the classic summary of the movement's aspirations, something incomprehensible had social ethics occupied anything near the importance commonly attached to them. Moreover, could the two figures of R. Eleazar of Worms and R. Judah Ḥasid have been so identified and interchanged with one another for seven hundred years, had they parted company over issues which we are told constituted the very core of the movement? In the *Sefer Ḥasidim* thoughts of social reform are few and far between, but (following here R. Judah rather than R. Eleazar) many passages indicate a deep and abiding concern with refinement and considerateness in human relations. Real as these sentiments are, they form (as noted in the text) only part of the Hasidic concerns. German Pietism was a religious rather than social movement, and for this reason a person could achieve a commanding, indeed authoritative, position among its adherents even though he was almost bereft of any social consciousness.

28. The actual authorship of R. Judah is not beyond question, but the testament is certainly a product of the movement.

Europe pressed in on Ashkenazic culture and succeeded in medievalizing it. The categories which had long given to experience its reliable and coherent character had disintegrated. Midrash understood on its own terms could no longer provide a *Weltanschauung* for succeeding generations. Romantic predestination, celestial archetypes, *din shamayim*, genius loci, demons, the enormous panoply of *gematriyot* of the Pietists are all attempts to evolve some conceptual apparatus to order anew the facts of experience and to invest them with significance. But new modes of perception and a fresh religious sensibility would be inconceivable unless it was discovered to have been long implicit in the sacred literature. A new world of Aggadah would have to arise—expounding, exploiting, and reinterpreting the traditional corpus. In many senses the *Sefer Ḥasidim* and R. Judah's radical commentary on the Torah²⁹ are simply a medieval German Midrash. They reflect the attempt of a new religious culture to find its values in the canonized literature and to see them not as their own thoughts but as the expression of the Divine Will.³⁰

If the Halakic hierarchy of sanctions and traditional classification of *mizvot*—*ḥayyebe mitot bet-din*, *ḥayyebe keritot*, *lo ta'aseh*, *'issur 'aseh*—had reflected a corresponding scale of values, no opportunity would have been afforded for the newly discovered norms to take on any significance, even for the Hasidim. For lacking such sanctions they would be regarded as trivia, present but peripheral. Hence the Pietists insisted that the official penalties were a necessary convention only and threw no light on the

29. Ms. Cambridge Add. 669.2 (*supra*, n. 7).

30. R. Judah's drive to re-narrate the Bible according to his outlook, and his profound conviction that he was only eliciting the meaning of the text, can perhaps be illustrated by his interpretation of the *maḥẓit ha-sheḳel* reported by his son (ms. Cambridge Add. 669.2, fols. 85–86) and reproduced partially by Ben-Sasson (*op. cit.*, p. 64). The passage concludes thus:

וכל אלו הדברים אמ' לי גם מ"א על פסוק אחר כי היה מקש' שני פסוקים אהדדי. פסוק אחד אומ' כל העובר על הפקודים מחצית השקל ופסוק חד אומר כל העובר על הפקודי' וגו' הא כיצד אלא כל העובר נתן הפקודי' זהו המקבל. והקש' לו א"כ מה שעשה הפייט... ועוד מהו ויכפר על נפשתיכ'. ועוד מהו לא יהיה בכס נגף ונתנו איש כופר נפשו. ופי' לי שמשא צוה לו לגזבר ליתן לו במתנה גמורה (ולא) ולא במתנה על מנת להחזיר, הרי אם היו רוצים היו תופשי' לעצמן בטוב. ואע"פ היו נותנין. ועוד שאר היה תי' לי ולא נראה לי ואמרתי מעולם לא עלתה על דעת משה רבי' וגער בי מ"א ואמר לי הלואי שהייתה כל התורה כולה סדורה כדבר זה.

The practical significance of this interpretation, or more accurately its inspiration, is to be found in *S.H.*, 914 as Ben-Sasson points out. (The last two lines of our citation are missing in the Lenin ms. A brief summary of R. Judah's interpretation is found in ms. British Museum Or. 2853, fol. 21v and reproduced in *Revue des Etudes Juives*, 76 [1923], 117.)

intrinsic worth of any deed. They foretold not what retribution would be meted out to man either in this world or in the next, and certainly the Bible provided ample documentation of how seeming minutiae evoked the Divine wrath.³¹ A psychological rather than a practical disruption was intended. Parts of the traditional hierarchy of emphasis in the Jewish way of life were to be altered, and the process demanded the breaking of the commonly accepted yardsticks of importance.

Pietism entailed a further axiological displacement. As the intuitive religious perception of the Hasidim was interior, they tended to look less upon the deed itself, as law by its nature must, than upon the thoughts and feelings that lay behind it. It was in the immolation of desire, the contravention of instinct, that they located the significance of the religious act.³² God's will, in its fullness, measures all deeds, great or small, according to the extent to which they were performed despite one's deepest inclinations. Contenance rather than temperance makes the moral man. From this perspective Halakic hierarchies were leveled. Different acts could be ultimately of identical value, just as identical acts might be of differing value to different people, or to the same person at different moments. Besides introducing a permanent freshness into the round of religious performances and a persistent incentive for self-conquest, the doctrine of "action in the line of greatest resistance" was able to hold out promises of ever increasing reward as the Divine will was discovered to demand the curtailment of man's more elementary drives and its fulfillment encountered mounting difficulties.

Accompanying this shift from the formal and overt to the interior was the notion that moral responsibility for one's deeds did not begin at the fixed age of legal adulthood but came rather with the advent of intellectual discernment, and Divine retribution was meted out accordingly.³³ It was circumstances, the Hasidim further noted, that allowed or disallowed a performance. Only the inner decision to act was wholly in man's hands, and so in God's eyes, in instances where execution proved to be beyond man's power, the inner (might we say autonomous) resolution for action was equivalent to the deed itself.³⁴ This interior perspective was a departure

31. 15 (p. 21), 157, 986, 1046, 1146, 1287, 1289, 1519, 1840.

32. 15 (p. 21), 43, 47, 986, 1289, 1518, 1836, 1964, 1967, *Ḥokmat Ha-Nefesh*, 22c.

33. *Moshav Ze'kenim 'al Ha-Torah*, pp. 74–75 (ms. Cambridge, Add. 669.2, fol. 21v, see *supra*, n. 7), *S.H.*, 16, 217, and reflected in 1966 (in conjunction with 1725).

34. 4, 5, 6, 47, 110, 199, 424, 1325, 1376, 1530, 1673.

from formal legal thinking and arose as a corrective to the growing legal consciousness of the period. Needless to say their aim was only axiological. No Hasid dreamt of hanging a ten-year-old or of thinking of a *lulab* instead of taking it. He sought rather to endow transactions of the soul with a significance equal to those of the body.

II

כל הרברים אשר דבר ה' נעשה — נעשה

(R. Samuel Ḥasid)

The Talmudic dictum that a public benefactor was credited with all the good done by his beneficiaries as a result of his act,³⁵ linked up with the idea that there existed moral equivalents for *mizvot*, and the two provided a backdrop for another major theme of the Pietist movement: that of acting for the common good (*le-zakkot 'et ha-rabbim*). No one could doubt that such conduct was highly commendable, for the Talmud speaks admiringly of it. In a sense it may even have been understood to be obligatory. However, its fluid and amorphous nature eluded capture in the net of normative thought, and no directive for its performance is to be found in the literature of the Franco-German communities from their dawn until the rise of the Pietist movement, a century and a half later. It was inevitable, then, that most people had a less than vibrant awareness of their duties in this sphere.

A broadened and sensitized awareness of the social consequences of one's actions was demanded by the Hasidim,³⁶ as they sought to break the traditional narrow categories of causation and to imbue man with a wider sense of responsibility for the outcome of his deeds.³⁷ Praise for the benefactor (*mezakkeh*) of the public³⁸ and opprobrium for one who causes the public to sin (*maḥṣiti*) are so frequent as to constitute one of the leit-motifs of *Sefer Ḥasidim*.³⁹ Acting for the common weal becomes now a standard characteristic of the Hasidic image of the righteous man (*zad-*

35. *Abot* V:18: משה זכה וזיכה את הרבים זכות הרבים תלוי בו .

36. 156–160, 478, 600, 738, 1555, 1819, *et ad libitum*.

37. 18, 157, 158, ms. Bodley Opp. 111, fol. 178r (and previous footnote).

38. 125, 158, 641, 745, 1035, 1036, 1038. Talmud Torah is to be structured so as to enable maximum public benefit, 762–765, 1495, and innumerable similar instructions are found with regard to the writing of books, e.g., 1739, 1740 *et ad libitum*.

39. 122, 187, 191, 192, 198, 208, 358, 747, 790, 1968. R. Eleazar of Worms singles this sinner out in *Roḳeah*, *Hilkot Yom Ha-Kippurim*, 216 (ed. Jerusalem, 1960, p. 105).

dik),⁴⁰ and, conversely, failure to take a public stand against wrong-doing is seen as one of the potent sins shaping history which unleash retribution upon the seemingly innocent.⁴¹ The incorrigible sinner is to be systematically sacrificed to the common good,⁴² and conversely, despite their profound horror of sin, *yir'at ha-ḥet* (which is one of their deepest legacies to the Ashkenazic community), they counsel, contrary perhaps to the Talmud, performing minor sins to prevent major trespassing by the public.⁴³

Communal responsibility and action of set purpose for the general good were partly an outgrowth of the aristocratic traditions of the movement's leaders, the Kalonymides, who for centuries had stood at the helm of the German communities. But in part this was an outcome of the Pietists' ideology.⁴⁴ Actually the Hasidim were ambivalent as to the nature of their doctrines. They knew that nothing that they would ever elicit from the pages of the Bible or from history could take on the obligatory character of, say eating of *mazzot*, and, in view of the rigid legal connotation of the term *ḥobah* they would have shied away from ascribing a binding nature to their teachings. Yet, on the other hand, they had discovered God's will in its plenitude and, surely, obedience to this was not optional. In this spirit they spoke of converts to Hasidism as penitents,⁴⁵ viewing thus as sins the past deeds performed in obliviousness to the *reẓon ha-Bore*, and, again, they warned of the obligation incumbent upon all to consult the *Ḥakam* so as to ascertain the will of God on any doubtful point.⁴⁶ More significant than the fullness of the Divine will was its potency. Those who

40. *Ḥokmat Ha-Nefesh* fols. 13c, 14a, 25d, and S.H., 815 where the description of ideal love of God runs thus: וכל חיבת שעשוע לב האוהב את ה' בכל לבבו ובכל הרהוריו איך לעשות רצון הבורא ולזכות את הרבים ולעשות קידוש השם ולמסור את עצמו הררהוריו איך לעשות רצון הבורא ולזכות את הרבים ולעשות קידוש השם ולמסור את עצמו 'שלא תעבור וכו' באהבת את הבורא והו יראת ה' taken from *Roqeah*, *Hilkot Ḥasidut*, *Shoresh 'Ahabah*. (See S.H., 1557.)

41. 1, 115–116, 225, 305 (p. 98), 361 (end), 1273; 989, 1295, 1345, based on *Shabbat* 54b, 'Abodah Zarah 5a. Obligations extend even to gentiles—1968.

42. 131–135.

43. 125. Cf. *Shabbat* 4a.

44. Prof. Morton Bloomfield has drawn my attention to the theme of *bonum commune* in Aquinas (*Sum. Theol.*, I, II, Q. 90, A. 2; II, II, Q. 58, A. 5, 6) and the rich literature it has engendered in recent times. I am, however, unaware of the twelfth- and thirteenth-century antecedents of this idea and the measure of its popular diffusion, if any, and therefore cannot say whether it played a role in shaping the Pietists' outlook.

45. S.H., (Bologna) 1, 7, 29. Cf. Baer, *op. cit.*, p. 9.

46. 1324, 1506, 110, 1328 (1941–2).

transgressed it, even unwittingly, were subjected to the most dire punishment in this world and in the next. Did not chastisement presume obligation? How could the Hasid desist from guiding the ignorant through the tangled wilderness of God's covert wishes by the light of his newly discovered truth? To have so refrained would have been to sit idly back as his brethren went to their destruction. The ideology of the movement and its deepest sentiments called for action. Now that we know how the supposedly quietistic Hasidim carried their convictions about liturgy to the point of bookburning,⁴⁷ their declaration—"Be in matters of 'God-fearingness' (i.e., religious matters) among the victorious and not among the vanquished. For example, if it lie within your power to make fences [about the law] and to protest [successfully] against transgressors,"⁴⁸ which only echoed the words of the movement's founder, R. Samuel Ḥasid, who wrote: "All the words which the Lord has spoken we will do (*na'aseh*) (Ex. 24:3). [Instead of] *na'aseh* (= we will do) read *ne'asseh* (= we will compel), i.e., [concerning all the words which the Lord has spoken], we will compel those Jews who refuse to obey"⁴⁹—should not surprise us at all. Given the nature of *Sefer Ḥasidim*, we could not expect to read there an account of their efforts of reform and correction. Nevertheless, scattered passages and key words betray a pungent and acrimonious reality,⁵⁰ and we find the thought of the Pietists marked, perhaps even scarred, by their struggles for acceptance and influence, apostolic contentions more lost than won.

47. *Arugat Ha-Bosem*, ed. E. E. Urbach, IV (Jerusalem, 1963), 80–83.

48. *S.H.* (Bologna), 648. The passage in the Berlin edition (117) is truncated and should be corrected accordingly. (The successful nature of the protest envisioned is clear from the context.)

49. כל הדברים אשר דבר ה' נעשה — נעשה (ונכרך) [ונכריח] אח ישראל הממאנים לשמוע. Thus in the Munich ms. cited in *Kitbe Abraham Epstein* (Jerusalem, 1950), 256. The emendation is Epstein's.

50. See the lengthy exposition on קוץ ודרדר in *Ḥokmat Ha-Nefesh*, 23a (cited *infra*, p. 331–332), which clearly reflects contemporary conflicts (and see *infra*, n. 66). Reference is made in the *Sefer Ḥasidim* to certain rules as being operational only if the טובים תקיפה 1591 (1770, 1372, 1382), and elsewhere (1343) the Ḥasidim are described as being foiled: ורוב ראשי הקהל טובים וברצונם לחקן רצון הקב"ה ואין יכולים מפני הגאים (and see 989). R. Eleazar of Worms repeats the theme of קוץ ודרדר in *Ḥokmat Ha-Nefesh* (19a) and sums up thus:

אם זכו אנשי העיר נופלין הרשעים מפני הצדיקים ומוכין הטובים את הרעים ויכולין הצדיקין כל רצון הבורא לעשות, ושמחה לפניו... ואם לא זכו בני העיר מוסר העיר ביד גאים ואכזרים... וגם הצדיקים לא יוכלו רצון בוראם ותקנתם לעשות.

Similar significance should be attached to such actual descriptions of communal

Their so-called doctrine of “ataraxy” sprang, it would seem, less from any spiritual or historical kinship with Cynicism than from the pressing needs of the movement.⁵¹ The Franco-German was permeated by a pro-

leaders as in 1344 (see *infra*, n. 70), which concludes והיה מטיל יראתו ואימתו על המחטיא את הרבים או מי שחיחתו נופלת על העם ויראים לעשות רצון בוראם מפניהם (1326). The isolation felt by the Hasid and his need for authoritative support in his struggles is reflected in his wistful interpretation of the Psalmist's words, in 1037: חבר אני לכל אשר יראוך (תהלים קי"ט ס"ג) וכי אפשר להיות חבר לכל העולם, יש שלא היו מכירים את דוד דוד לא היה מכירם אלא... כשהיו יראי ה' עושים דין או הוראה חריפי רשעים מעידים ומורים לרעה מאסור מותר ומטמא טהור, והיו שולחים לדר ומחכר להם דוד להסכים עם יראי ה' בכתביו.

(See *infra*, n. 83). The opponents won special mention in the *Hilkot Yom Ha-Kippurim of Roḳeah* (*supra*, n. 39) (see *infra*, n. 57). (a) יראי ה' is often used by the Pietists to describe those who sought to accept the yoke of the Larger Will, 1, 27–28, 38 (end), 86, *et passim*; (b) רצון הקב"ה in the aforementioned 1343 refers to the הבורא. רצון הבורא לעשות רצון הקב"ה. Compare similarly להעמיק לעשות רצון הקב"ה in 774 with כי יש חסד שלנו חפץ... להעמיק לעשות רצון הבורא in 27. For the distinctive connotation of *tallit* in the writings of *Ḥaside 'Ashkenaz*, see *infra*, n. 55.

51. Cf. Scholem, *op. cit.*, pp. 92–93, 96–97. The difficulty entertained in describing the Hasidic demand for indifference to praise or blame as *ataraxy*, absence of passion, and thus linking their outlook with certain elements in Cynicism which influenced both eastern and western monasticism lies in the emphatic position that they adopted in the age-old controversy of continence versus temperance (*supra*, p. 324). Had the Hasid aspired to a state of “absence of passions.” it is hard to see how he could have announced repeatedly that the moral man is he who curbs rather than represses his appetites. The passions animating the people in *S.H.* are intense, and no interest is displayed in combatting this state of affairs. Much advice is given on how to restrain and channel those drives, but little, if any, direction is provided as to how to deaden them. That this is not simply a *pis aller* is evidenced by sections 52–53 of *S.H.* The Hasid there received an inquiry, in great detail and vividness, whether it was permissible, perhaps even commendable, for someone to cultivate his baser passions intentionally so as to curb them all the more dramatically at the crucial moment. Was it allowable to stimulate regularly one's appetite for revenge, theft, or sex by either lying in ambush, fingering buried treasures, or engaging in incestuous sexual foreplay for the purpose of stopping short just as the impulse was coming to climax? The Hasidic mentor (*he-ḥakam*) to whom the question was put found himself at a loss for an answer (!) and, in his perplexity, referred the inquirers to a *rosh-yeshibah*, who replied decisively in the negative. This story is admittedly extreme and quite possibly is a literary invention, but it does bespeak an atmosphere where “action in the line of greatest resistance” is held up as an ideal and one wholly alien to any aspirations for “absence of passion.” (One can hardly imagine Diogenes or Benedict being asked such questions.) There is no attempt in *S.H.* to deaden any feelings other than those of humiliation and hurt. Answer could be made that the Hasidim were anything but consistent, and while they gave free range to feelings in some spheres, they sought to dull them in another. But then the question arises why this particular configuration of incon-

found conviction of its religiosity and its dedication to the Law, and possessed unquestioned pride in the wisdom and customs of its ancestors.⁵² The appearance of new ideals of personality and patterns of conduct which its traditions had never known evoked feelings of antagonism and contempt in those in whom the new movement did not strike a sympathetic chord. The new Hasid who lowered his eyes at the passing of women, who spoke little of the doings of the world and not at all of his neighbor, who eschewed all recreation and elementary social intercourse,⁵³ who passed the day in *tallit* and *tefillin*⁵⁴ (a distinctive *tallit* at that),⁵⁵ and expounded the strange⁵⁶ minutiae of God's newly discovered will, was the inevitable butt of protracted caricature and abuse. The adherents of Hasidism soon learnt to associate their way of life with the blanch of humiliation,⁵⁷ and, from the outset, proclaimed the cornerstone of *Hasidut* to be the capacity to persist in God's will despite scorn and mockery. Perseverance no less than in-

stancy? Why were the Pietists immune to contemporary notions of *ataraxy* in all areas other than that of social opprobrium? Was it need that determined this pattern of acceptance and rejection? (a) The contention that the Pietists could not aspire to deaden the sexual drive because of the traditional importance of marital life in Judaism collides with the fact that there is no attempt at *ataraxy* in other spheres either. Furthermore, the Hasidic acceptance of marital sex was not an attitude forced upon them by tradition. Had the Pietists wished to denigrate, or even to downplay, carnal enjoyment, numerous Talmudic dicta (such as **מגלה טפח ומכסה שד** and the like) lay readily at hand to be invoked and elaborated upon. Numerous ascetically oriented writers from Rabad of Posquières to R. Joseph Caro expatiated on these passages; the Pietists scarcely mention them. [Contrast, for example, *S.H.* with *Shulhan 'Aruk*, 'Orah Hayyim 240:8; 'Eben Ha-Ezer 25:2.]. *S.H.* advocates, or at least exudes, an almost lusty enjoyment of marital life. (b) Note also that indifference to criticism is not counselled just for those aspiring to illumination or *debeḳut*, but to all who sought the name "Hasid."

52. See my forthcoming *Circumstance, Custom and Halakah in the Thought of the Tosafists*.

53. *Roḳeah*, *Hilkot Hasidut*, *Shoresh 'Ahabah*; *S.H.*, 815, 978, 986. See **שאלות חשובה על העריות; חחילה חחילה שלא יראה בנשים. ... ואין קץ לשכרו כי תדיר בא ליד נסיון [ועוד] שבוסת עושין לו שמתלוצצין ומלעיגין עליו. לכך שכרו כפול ומכופל.** ms. Bayerische Staatsbibliothek (Munich) 232, fols. 110v-111r.

54. 1036, 986, 976, 1589, (Bologna) 57 (and see *S.H.*, 439). The *tallit* as a symbol of *Hasidut* is reflected in 1344 (see *supra*, n. 50).

55. *Teshubot Maharam* (Prague, 1608), 287.

56. Even the Pietists realized that their new prescriptions would appear strange in the eyes of the world, see *S.H.*, 28.

57. R. Samuel Hasid in *S.H.*, 2 (p. 5), *Roḳeah*: *Hilkot Hasidut*, *Shoresh Hasidut*; *Arugat Ha-Bosem*, IV, 103; *S.H.*, 118, 119, 975-978, 982 *et ad libitum*.

difference was the immediate goal of the Hasidim, and it was sought as much as a mechanism of defense as it was as a moral trait.⁵⁸

The doctrines of the Hasidim concerning prayer and synagogue, focal points both in their thought⁵⁹ and in the daily life of the community, were such that, when acted upon, they would have antagonized large segments of the population and led the Pietists to be regarded as saintly pests, or worse yet, as reprehensible snobs. Only the truly righteous, the Hasidim claimed, should be called to the Torah, given honors in the services,⁶⁰ or be a *sandaḳ* at a circumcision.⁶¹ The most vigorous action must be taken to prevent an unrighteous man from being the cantor (*sheliaḥ zibbur*), for his functioning in this capacity literally endangers the community, since his prayers will necessarily be rejected. Any religious act performed by an unworthy—such as blowing the ram's horn—should be discounted and repeated by the Hasid himself.⁶² Strictly speaking, the unworthy should not be allowed into the synagogue, for their sight stirs evil thoughts in the hearts of the worshipers.⁶³ Hymns written by sinners should not be recited,⁶⁴ and prayer books copied by them not used.⁶⁵ Finally, the morning psalms (*pesuḳe de-zimra*) should be recited at great, indeed, interminable, length.⁶⁶

Much depends, of course, on just who was considered “unrighteous” or “wicked,” for only too often the Pietists’ epithets have been taken at their face value. No doubt they refer at times to violent and immoral individuals,⁶⁷ but the widespread presence of *resha'im* according to the

58. It should be emphasized that once the doctrine of indifference was developed, it may well have served the further purpose of spiritual ascent. For this reason the adjective “immediate” was employed in the text. Though one might note that nowhere does *S.H.* counsel the would-be Pietist to commit acts that would invite ridicule, rather it emphasizes that to become a Hasid one must be ready to endure it. The line between immanent development and practical necessity is a thin one. Too thin, perhaps, to be discerned seven hundred years later, and it is wisest when the two forces may be at work to eschew assigning pride of place to one over the other.

59. The largest bloc of regulations in the *Sefer Ḥasidim* touch on these topics: 393–543; 1568–1632 and innumerable mentions throughout *S.H.*

60. 470–471.

61. 585.

62. 1591 (see 443, 444).

63. 403 (for further isolation see 60).

64. 470, 1619–1620, *Hokmat Ha-Nefesh*, fol. 23a.

65. 404–405, 1621.

66. 418, 450, 839, 1620, and see *infra*, n. 70.

67. 444. (There are two passages where the Hasid is advised to use caution in translating his precepts into communal reform [1085, 602]. However, the material gathered in this section of the essay indicates, I hope, that the Pietist did not always allow himself to be guided by such pragmatic counsel.)

Hasidic account leads us to one of two conclusions: either the political and spiritual leadership in thirteenth-century Germany was frequently in the hands of evil men or the Pietists used this term after their own fashion. We may obtain a glimpse of what the Hasidim had in mind if we compare three parallel passages which have come down to us:

Initially the *payṭanim* did not incorporate their names in the poems' acrostics . . . for they did not compose [these poems] to perpetuate their names. . . . Once the wicked (*resha'im*) began to compose *piyyuṭim* (liturgical poems), one should [have] recite[d] no *piyyuṭ* whatsoever, for is it conceivable that the *piyyuṭ* of the wicked will be heard? "Surely God does not hear an empty cry!" (Job 35:13). And people did not know which were the poems of the righteous. To prevent people from [mistakenly] saying "the wicked composed these poems [and so we should refrain from reciting them]," the righteous [began to] incorporate their names in their *piyyuṭim*.

If a righteous man composed a *piyyuṭ* and its language is not as good as that of a wicked person (*rasha'*), better that the people recite the [poem] of the righteous, for the merit of its author is remembered [by God, and He looks favorably] on the one who recites it, while the evil-doing of the wicked is held against those who recite their poems. Once the righteous began to incorporate their names in their poems, the wicked could no longer say "We composed them: and they were jealous. . . ." When the wicked achieved the upper hand, they used to recite the *piyyuṭim* of their relatives, and for this reason there was much Divine retribution. When the righteous got the upper hand, they decreed that no one could pray (i.e., serve as cantor) unless the righteous had given him permission to pray, and they instituted *reshuyot* (the formal permission-taking by the cantor) . . . and they instituted *reshuyot* because some used to recite the *piyyuṭim* of the wicked or the dishonest would at times pray and raise their voice in chant, and it is written, "She has lifted up her voice against me, therefore I hate her" (Jer. 12:8).

"Thorns and thistles it shall bring forth to you" (Gen. 3:17). It is decreed upon every generation that it should have its thorn, and the wicked man is the thorn. And He planted them in each generation: Abraham had Amraphel for his thorn, Isaac—the shepherds of Gerar, Jacob—Esau. . . . And so in every generation the righteous man has his thorn—"And these are [the men] that the Lord left to test Israel" (cf. Judges 3:1). When a righteous man in the city [is involved] in benefiting the community (*zibbur*), he has his thorn—the wicked man (*rasha'*), who seeks to lead it astray, just as the prophets of the Lord had their thorn [in the form of] the prophets of Baal and Ashtoret. And when the community is worthy, they do what the prophets of the Lord say, and the prophets of Baal are as nought.

But if the community is unworthy, the prophets of the Lord are ignored and their words unlistened to. Similarly the righteous man in the city will seek to benefit it in many ways he deems fit (*mezakkeh le-kol hefzo*), and he will have a thorn in the city who shall overturn his words and aggravate him in every way that the wicked can aggravate the good. If that were not bad enough, the good man will speak justly and rule truthfully and justly, while the evil man will pervert justice and his words will be wrong and the words of the good man will go unheeded while those of the evil man [will be accepted]. And he will lead the public astray. And all this is [foretold in the verse], "Thorns and thistles it shall bring forth to you." And this takes place because the people of the city are deemed [by God] unworthy of heeding the good man and so He inclines their hearts after the wicked so that they should stumble. And He makes the words of the wicked man successful (i.e., attractive), so that they should be drawn to him and stumble. *If that were not bad enough, the wicked man will yet write books which will last for generations and write piyyuṭim which will be recited by [succeeding] generations, but not so the good man (i.e., he will neither write books nor compose liturgies or if written, they will remain unread and unrecited).* And all this happens because future generations are also unworthy and so God allows all this to come to pass in order that that they too shall stumble. . . . And because He knows posterity to be unworthy he allows the dishonest *to write books and piyyuṭim*, for had the [future] generations been worthy He would have allowed the good men to write the books and poems. "Thorns and thistles," in *gematria*, is the numerical equivalent of "posterity." And thus a wicked man is enabled [by God] to earn [richly] in this world and to establish a synagogue or a cemetery or some other important thing, for posterity is unworthy [to benefit from] the deeds of the good, and God does not want the deeds of the good to [benefit] the dishonest.⁶⁸

From these two selections, we see that, by the Pietists' own admission, the *rasha'* is a scholar who makes contributions of some permanence to Halakic thought, and, not surprisingly, sits on the courts, or, at the very least, gives influential rulings on religious problems. Graced with the soul of a poet, his words celebrating the majesty of God or mourning the sufferings of his people strike a responsive chord in the hearts of the people. Knowledge of

68. 470; *Ḥokmat Ha-Nefesh*, fol. 23a (corrected according to mss. Parma 2784, Bodley Opp. 109). (This section in its entirety was written in the spring of 1967. Since then, Prof. Ben-Sasson [*op. cit.*, pp. 72–77] has called attention to these passages to illustrate, among other things, the deep tension that existed between the Pietists and the establishment, a point with which, needless to say, we concur. The purpose of our lengthy citations is to align them with coming sections of *S.H.* so as to demonstrate just how idiosyncratic the Hasidic terminology is and how meaningless it is to take Hasidic descriptions and evaluations at face value.)

Midrash was clearly his, as was a sense of public weal and a willingness to give of himself to it. Wherein lies, we wonder, his wickedness? The third parallel passage provides us with the answer.

There are *piyyuṭim* to which the following Biblical verses may be appropriately applied if they are recited: “She has lifted up her voice against me, therefore I hate her” (Jer. 12:8) and “Your mediators have transgressed against me” (Is. 43:27)—even *piyyuṭim* written by the righteous if they are recited by a bad man. . . . *Should there be a scholar, an expert in the Law, and he composes piyyuṭim and he hurries the blessings and the Psalms of the morning prayer in the synagogue, it is improper to recite his piyyuṭim.* For what David composed by Divine inspiration he scorns and hastens to cast out from his mouth, while that which he composes he recites slowly. Similarly if a scholar does not give charity or do personal favors, or if he is a scholar and is quarrelsome or proud, it is improper to recite his *piyyuṭim*.⁶⁹

“Wicked” to the Hasidic mind meant, then, not only men violent and immoral, but even scholars, poets, and men of quality who took less time in reciting the Psalms than the Hasidim deemed appropriate, or in any way fell short of their novel and exacting standards. And lest we again take the Hasidim at their word and imagine that what was at stake in their demand for slow recitation was a few more minutes of devotion (*kawwanah*), their own remarks elsewhere should be cited:

There were once two synagogues in a city and the *ḥakam* went . . . sometimes to one and sometimes to the other. Then he prayed only in the smaller one. They asked him, “Why have you left the larger synagogue where both the many and the prominent pray?” He replied, “In the large synagogue they hasten [the recitation of] the morning blessings and the Psalms . . . but not so in the smaller synagogue. There they recite the morning blessings and Psalms slowly and I gain in this that, while I recite [the Psalm] slowly, I count on my fingers how many *’alephs* there are [in each Psalm], how many *bets*, and similarly for each letter, “and upon my return home I attempt to find a reason for each sum.”⁷⁰

69. 1620 (see *supra*, n. 66).

70. 1575. (See also *Tur, 'Orah Ḥayyim*, 113). See *Tashbez* (Jerusalem, 1951), 219: יש בספר שחקן רבינו ברוך ממגנצא ששלח לרבינו יהודה חסיד ושאל היאך היה עושה בפסח ובשבתות ובנשואין שקריאת שמע נמשך לפעמים עד לאחר שלש שעות ובכן עבר זמן קריאת שמע וכ'. Perhaps the great scholar mentioned by R. Judah Ḥasid

Epithets of *rasha' ra'*, and *ra' ma'alalim* were applied not just to the quarrelsome, the arrogant, and the stingy,⁷¹ but also to those who simply denied the new revelation and the apostolic claims of the Pietists.⁷² Thus defined, few would pass muster, and, not surprisingly, many a communal

has not received quite the sympathy he may have deserved:

ואני שמעתי מפי ר"י החסיד זצ"ל שהיה רב גדול ומוכהק לרבים אחד והיה גוער בבית הכנסת שהיו מאריכין בכרכות והיה בדעתו למהר ללימד ונענש על כך באותו עולם.
(*Or Zaru'a*, II, 42. cited in a gloss to *S.H.*, p. 126). See *S.H.*, 1343:

כי היה מטיל יראתו ואימתו על יראי השם ולהכעיס היה ממהר השבחות בבית הכנסת ומונע צדיקים מן המצות ומגרש מבית הכנסת מי שירצה, ומסייע לעוברי עבירה ויראי ה' מנאץ.

(See *supra*, n. 50, for the connotation of 'יראי ה', and *supra*, nn. 54–55, for the significance of *ṭallit* in the preceding description.)

71. 1620.

72. The harsh accusations of the Pietists that the religious establishment had failed in its duties of leadership (ביום בידם למחות ולא מיהו) and the like) should be taken at a similar discount. No doubt there were instances of scholars and communal leaders who were lax in enforcing religious norms, but the Pietists' indictment was more a product of their outlook than a reflection of reality.

Among the manifold talents of man discovered by the Hasidim was his capacity for foresight, and much of *Sefer Ḥasidim* is a summons to anticipate the consequences of his conduct and to act accordingly. This sense of foresight, which together with the Pietists' "fear of sinning" (*yir'at ha-ḥet'*), induced the doctrine of making "fences around the law" (*seyag*) for errors which could have been prevented, came perilously close to being considered deliberate acts of will (e.g., 875. 1439). Religious life must be so ordered as to put a large and untraversable distance between man and sin, and a good part of their instructions are an attempt at just such a structuring. The standard canons of religiosity, with their allowances for unintended failings and occasional inability to perform a commandment, were then wholly inadequate, and indeed verged on condoning the criminal.

Furthermore, the demands of the Pietists for the full mobilization of man's abilities in the service of God, and their concomitant refusal to allow for any routinization of the religious imperative, made their clash with the establishment inevitable. The tendency of any established order to turn a blind eye to certain entrenched infractions, or infractions difficult to prove and even more difficult to correct, its awareness that a measure of laxity among some members of the community was inevitable and that attempts to improve matters might strain the social fabric or bring a measure of unreasonableness in religious demands, were all an anathema to the Hasidim. They knew man as few of their contemporaries did, but they probed his frailties to overcome them, not to rest content with them. Whether a whole society would tolerate such sustained correction, whether it would agree to live at a level of unremitting religious tension, were questions they felt that a concerned believer had no right to ask before he acted. Others thought differently.

leader, and even eminent rabbi, grew antagonistic to the Hasidic practices⁷³ and battled them on numerous fronts. Humble as to themselves, sweeping as to their claims, the Pietists possessed in good measure the meek presumptuousness of the saintly.⁷⁴ It may be wise to remind ourselves from time to time that while many in their day (and apparently in ours) found in their new ways a moral tonic, and in their thought an answer to some of the larger problems of life, a good number of the religious and the scholarly, the poetic and the sober, the retiring and the communally active, felt their novel demands to be absurd and their humble pretentiousness insufferable.

73. Cf. *supra*, n. 70. Every movement, one might add, has its lunatic fringe who give it a bad odor, and *Haside 'Ashkenaz* were no exception. What were the feelings, one wonders, of a weary Tosafist returning home on a Friday from a six-day stint in the *bet ha-midrash*, to shed his boots for the first time in a week (Urbach, *op. cit.*, p. 16), passing by the house of an otherwise undistinguished Hasid and witnessing this distinctive *imitatio dei* (628): **וכל מה שמצינו שהקב"ה מכבד שבת: וביום השביעי נחעלה וישב על כסא כבודו, הרי היה חסיד אחד ואמר כל מה שמצא כאן עשה כן, היה לו כסא יפה ומיוחד שהיה יושב עליו בשביעי להתפאר ליום המנוחה.** If the Hasid yet took to preaching to him on his religious inadequacies, little needs to be left to the imagination.

74. See, for example, 1272: **מעשה בחסיד אחד שביקש למלך שכל יהודי שישבע בשם שיקח מאותו יהודי י"ב פשי, ונתכוון שלא ישבעו לשקר. כי באותה מדינה היו מוצאין שם שמים לבטלה ונשבעין לשקר בלא תביעת ממון. וביקש מן המלך ונותן לו ממשלה; כל יהודי שישבע בין באמת בין לשקר בלא תביעת ממון שיקח ממנו דינר כדי למנוע מפיהם שלא ישבעו לבטלה. והשחידו בני המדינה לגרשו, וגם בני המדינה נידוהו עד שהלך ולקח קרוביו ואוהביו והלך לארץ אחרת. וכל אותם שנידוהו וגם זרעם לקו ומהם נהרגו ומהם נשרפו כי הוא נתכוון לטובה.** Whether this dangerous alliance with the secular authorities to ensure religious observance is fact or fiction we do not know, but clearly the author of *S.H.* sees nothing improper in this unprecedented conduct and cannot understand why the instigator was run out of town. He also considers fire and sword an appropriate punishment for those who thwarted this well meaning *hasid*. See (Bologna) 534: **אחד ירא שמים חלה והיה בוכה בחליו, אמר לא מפני הנאת עצמי אני בוכה, אלא שכל זמן שכל זמן שאני חי אני זמן שזכיתי לראות את הרבים, והיייתי חי הייתי מוכיח הרבים. Whether a man who lived for the sole purpose of correcting others was an easy or pleasant person to deal with is something to contemplate. (See furthermore 1946; this Hasid apparently had no doubts on that score.) (In the parallel section in Berlin edition, 1557, the passage reads **שכל זמן שאני חי אני זמן שזכיתי לראות את הרבים**, which leads one to suspect that perhaps much of the *hasid* practiced by the usually isolated and powerless Hasid [see *infra*] consisted of admonishing others. Is it accidental that in the Bologna edition of the *S.H.*, which opens with something akin to a presentation of the principles of the movement [1-20], the imperative of *tokahah* is discussed at the very outset [5]?)**

The number of actual Hasidim in most towns was small,⁷⁵ and anyone who lived up to their standards of honesty would of necessity be poor. Disliking extensive contact with Gentiles—the *sine qua non* of leadership—and steadfastly refusing to lie or flatter or even to make small talk, which is the stuff of human relations,⁷⁶ the Pietists stood little chance against the hard-nosed men of the world in the arena of communal struggle. Not surprisingly, their attempts to institute the Divine will in its fullness met with little success.

Frustrated in their efforts to effect communal reform, the Hasidim retreated into themselves. Circumstances reinforced the ancient values of good lineage (*yihus*) and, in order to insure pure family units—the most they could hope to achieve—endogamy was recommended, if not actually practiced.⁷⁷ Numerous dicta against dwelling in the environs of *resha'im* are found in *Sefer Ḥasidim*,⁷⁸ as is a correlative pessimism regarding the ability of the righteous to reform the wayward.⁷⁹ Thought was given to forming pure Hasidic settlements where the will of God could be realized unhindered.⁸⁰ The sober awareness that wealth and prestige are necessary to achieve influence appears,⁸¹ and the imperative of admonition (*tokahah*) is generally given a strict construction.⁸² Constant collision with their opponents led them to evolve a nemesis theory of history. Every representative of the forces of good must, sooner or later, contend with a predes-

75. 1952, and see now G. Scholem, "Three Types of Jewish Piety," *Eranos-Jahrbuch*, 38 (1969), 344.

76. 815, 980, 984, 986.

77. 1300–1301 and numerous passages on the importance of marrying בני טובים and the like.

78. 116, 181, (228), 233, 305 (end), (1303) [end] *Ḥokmat Ha-Nefesh*, 19a: ונ"מ לבקש רחמים וכר

79. 1373 (end, indicative also), cf. 116.

80. 1300–1301, see the remarks of Baer, *op. cit.*, p. 47. (Cf. 786.)

81. 1337, 1340, 1341, 1795, 1845 (1286, example in 1344).

82. One would expect a doctrine similar to that of R. Eliezer of Metz (*Yere'im Ha-Shalem*, 223) (or Maimonides, *Mishneh Torah*, *Hilkot De'ot* VI:7); one finds instead (1338, 1971) that of R. Moses of Coucy and R. Isaac of Corbeil (*Semag*, [*Aseh*] 11; *Semaḳ*, 192). R. Moses and R. Isaac are guided in their doctrine by a desire to harmonize the central passage in *'Arakin* 16b with the passing remark in *Yebamot* 65b. The Pietists are aware of *'Arakin*, but appear unaware of *Yebamot* (see 1338). Experience, not dialectic, speaks here (*S.H.* [Bologna], 39 proves much less, for the people there act out of ignorance. מוטב שיהו שוגגין ואל יהו מזידין is an old Halakic principle, and was generally accepted as restricting *tokahah*. See *Tosafot Shabbat* 55a, *s.v. af.*) However section 5 of the Bologna edition does reflect an unrestricted doctrine of *tokahah*. For this reason, I have used the term "generally."

ted opponent from the ranks of the powers of evil. The outcome of this struggle, the Pietists argued defensively, would hinge not on the merits of the righteous (*zaddik*) but on whether his generation was worthy of his victory.⁸³

The Hasid was opposed not only by the communal leadership but also by the intellectual establishment, and minds trained in distinction and riposte could, and did, make short shrift of many a Hasidic argument. The Hasid attributed his defeats to a Divine spirit which entered and confounded him so as to increase his share in the world-to-come.⁸⁴ But Divine reward was not all that a Hasid yearned for. He dreamt long dreams of the world-to-come, where not only would his just cause be vindicated, but the sweet taste of victorious argument would be his at last. An added wisdom (*hokmah yeterah*) would be given to him, and his opponents would soon lie vanquished in disputation.⁸⁵

The struggle of *Haside 'Ashkenaz* with those who did not see their light, and their humiliation and frustration at the hands of their opponents, only intensified the streak of harshness which can be detected in Hasidic thought,⁸⁶ and their posture toward the *resha'im* assumed chilling proportions. If one who had thwarted them fell sick, it was forbidden to pray for

83. *Hokmat Ha-Nefesh*, fols. 19a, 23a, 25d; *S.H.*, 1049. (Some caution should be employed with 225, as it is simply one of forty examples of *מדה כנגד מדה*, see 222–224.) Cf. Scholem, *op. cit.*, p. 90; Ben-Sasson, *op. cit.*, pp. 74–77; and *supra*, n. 68.

84. *Hokmat Ha-Nefesh*, fol. 25a. (See *supra*. p. 332 and notes *ad loc.*, *S.H.*, 1037 [cited *supra*, n. 50], 811, [1536], and the Hasid's dreams of ideal *talmud torah* in 1838, end. One might possibly begin to take with a grain of salt such famous passages as 1816, 1375, though no doubt there could have been cases of genuine *רשעים*. See *infra*, p. 342.)

85. *Hokmat Ha-Nefesh*, fol. 20b. Despite what his defense mechanism may have told him of the disruptions worked by an outside spirit, the Hasid's sense of realism (a sense which accounts for much of the impact of his movement and forms a good part of its disarming charm) did not here abandon him. Even when daydreaming, the Hasid realized that even were he left undisturbed and unconfounded in the world-to-come (as he had every reason to believe he would be), unless his present intellectual equipment were strongly reinforced, he would prove no match for his protagonists.

86. E.g., *supra*, p. 326, *Sefer Hasidim*, ms. Zurich Zentralbibliothek, Heid. 51, fol. 9v: *מי שיש לו בן שוטה ואין בו דעת אם מבקש רחמים עליו שיחיה או על רשע (שהמחטיא) [שהוא מחטיא] ועושה רעות, אל יענו אמן אחריו כי טוב יותר במיתתו מבחייהו.* *S.H.*, 1272 cited and commented upon *supra*, n. 74. (Need I mention the sensitive, yet at the same time elitist, doctrine of charity set forth in *S.H.*, 857–929, which if implemented would have slashed severely the alms available to the non-Hasidic poor.)

his recovery, and if he died, rejoicing was in place.⁸⁷ An obscure Midrash about “not having pity on the cruel” was seized upon, embroidered, and repeated again and again.⁸⁸ Few lines harsher than those of Rabbi Judah Ḥasid have been penned in Jewish ethical writings. Unable to comprehend how Abraham could have sought mercy for the sinners of Sodom, he wrote:

“Wilt Thou destroy [the *place* and not spare it for the fifty righteous]?” (Gen. 18:24): Explanation: He (Abraham) is not concerned about the wicked (*resha'im*) if You kill them, but do not overturn the city, leave it for the righteous and their seed. And this is what [he says] “Shalt Thou destroy the entire city? Leave the land alone and kill the inhabitants.”⁸⁹

Equally unmatched are the words of his disciples, who, faithful to his spirit, gave to the communities which sought their spiritual guidance this counsel in times of persecution, when refugees would flock to their gates seeking shelter and residence:

If *resha'im* and sinners should *flee* to you seeking refuge under your wing, do not protect them (i.e., take them in), for if you will receive them (i.e., allow them residence) in the end they will become an implacable adversary of yours or of your seed (*yiheyu leka le-satan o le-zar'aka*).⁹⁰

Words more in the spirit of Dominic than of Francis.

87. 187, 191, 358 (cf. 1968), 392 (388), and previous note. The nature of the *רשע* comes out clearly in 191, where his sin is not in declining guidance in Halakah but in *יראת שמים* and *צדקות*.

88. 2 (p. 5, this passage was apparently authored by R. Samuel Ḥasid), 181, 852, 853.

89. *Moshav Zeḳenim 'al Ha-Torah*, 24 (= ms. Cambridge, Add. 669.2, fol. 9v). The Cambridge ms. is slightly abridged, the printed text is corroborated by ms. Moscow Lenin 82, fol. 65r. In the mss. the heading is *האף תספה צדיק עם רשע*. However, it is clear that R. Judah referred to the next verse. This form of abbreviated reference is a common occurrence in mss.

90. 181. The opening sentence of that section is indeed a paraphrase of the Talmud's advice against harboring suspected murderers. The connotation of *rasha'* in the second sentence—the one we have quoted—would appear then to be, at best, ambiguous and our use of it open to question. However, the term *לזרעך* in that passage indicates that we are not dealing with any clear and present danger. Indeed the term *לסטן* or the phrase *לשיכים בעיניכם ולצינים בצדיכם* in the elaboration that follows indicates that what is feared is not even any physical danger, but some ultimate (religious-cultural) clash of the type described by the Ḥasid in 1301 or those cited *supra*, pp. 331–332. Note also that in the concluding sentence the contrast to the aforementioned *rasha'* is not *אדם כשר* or *הגון* but *צדיק*. All of this leads me to conclude that the term *rasha'* is being employed here in a distinctly Ḥasidic fashion, and that the distance traversed by the Ḥasid by his association of this case with that of the Talmud is correspondingly immense.

III

תורת ה' תמימה — כשיוצאה מפי תמים (747)

If ever Halakah had a confident hour it was around the year 1200. The past sixty years had witnessed an advance unparalleled since the days of Abbaye and Raba, as the dialectical method dormant since the fourth century sprang to life again. The multiple panzer thrusts of Rabbenu Tam's intellect had smashed the front of the old simplistic interpretation, and under the quiet but relentless generalship of R. Isaac of Dampierre the land of the Talmud was occupied, reorganized, and administered by Tosafist thought. In Germany developments were less concentrated and dramatic but no less massive and far-reaching. Beginning in Speyer with the teachings of R. Isaac ben Asher (Riba, d. before 1133), dialectic spread in the next generation to Mainz and Regensburg in the figures of R. Eleazar ben Nathan (b. *circa* 1090), R. Isaac ben Mordecai (Ribam), and the stormy R. Ephraim, and then on to Bonn and Cologne in the activities of R. Joel Ha-Levi and R. Samuel ben Natronai. Collation, contradiction, and distinction had now transfigured the works of the Amoraim in no less a measure than the Tannaitic inheritance had been transformed by the Babylonians. Creativity in France peaked at the turn of the century,⁹¹ but continued on in Germany for another two decades, as R. Eleazer ben Joel (Rabayah) toiled on the completion of his massive *oeuvre*, which summed up the labors of some four generations. Their successors would spend a century digesting these accomplishments, and much of Halakic history is a reinvestment and exploitation of the capital then accumulated. But even this was in the future. At the turn of the thirteenth century there was every reason to imagine that the next hundred years would be like the last and that Halakic progress would continue indefinitely. Unlike Polish Ḥasidism, which arose during the nadir of legal thought in Eastern Europe, German Hasidism grew up alongside of a Halakah triumphant. And it is against the backdrop of the Tosafist movement that the *Ḥaside 'Ashkenaz* must be viewed.

The immortal accomplishments of the French and German Tosafists in creating a European Talmud and in restoring to Halakah the mandate of thought, should not however blind us to the genuine abuses that, in all

91. The burning of the Talmud in 1240 precipitated an institutional crisis in Talmudic studies, not an intellectual one. The creative period of the French Tosafists may be said to have come to a close with R. Samson of Sens' departure for the Holy Land in 1211. If one insists on viewing the year 1240 as a watershed I have no quarrel, for it would only strengthen the argument.

probability, followed in their wake. And the remarks of *Sefer Ḥasidim* should be read in this light. They are less a criticism of *talmide ḥakamim* in general than a censure of certain contemporary phenomena. The cutting edge of dialectic is distinction, and it is an edge which can cut both ways. The ability to perceive differences between things ostensibly comparable is the beginning of precise thought and, at the same time, an invitation to specious argument. The danger is inherent, and had been so recognized from the beginning. At the dawn of Western thought, when dialectic was first evolved, Plato and Isocrates had immediately warned that the newly forged tool could be misused as a weapon of controversy,⁹² and the same abuses attended the rediscovery of dialectic by a renaissance Europe. Alexander Neckham, a contemporary of R. Samuel Ḥasid, soon wrote: “*dialectica docet discernere verum a falso. Sed numquid dialectici nomen meretur, qui scienter falsa proponit ob popularis aurae favorem,*” nor was he alone in his criticism.⁹³ Unless Jews were immune to human temptation, many students returned home from the schools of Troyes, Dampierre, Speyer, or Mainz to confound for their own advancement scholars of the old school, and used the training that they had there acquired to crush their opponents rather than to arrive at the truth.⁹⁴ Dialectic is separated from cleverness only by the thin line of integrity; and character, unfortunately, is much rarer than talent.⁹⁵ Only too easily could this new tool be employed by the unscrupulous to pervert justice. Even when the method was honestly practiced, much, if not most, of what was said was of poor quality. Every great book gives rise to a hundred bad ones. When we speak of the Tosafists in France, we actually speak of the work of one school, that of Ramerudampierre, and our image of the movement in Germany is essentially that of several small circles in Bonn, Mainz, Speyer, and Regensburg. We could make no greater error than imagining that all else that was said in the hundreds of other *batte midrash* scattered about Ashkénaz at the time was of

92. W. Jaeger, *Paideia: The Ideals of Greek Culture* (Oxford, 1939–1945), II, 316–317; III, 56.

93. *De Naturis Rerum*, ed. T. Wright (London, 1863), p. 283, and see the entire chapter. (Speaking of the *trivium* generally, Alexander writes “*Potestas est, quae in utramque partem disserit ac si gladium teneat ancipitem.*”) See *infra*, n. 114, for other critics of the new dialectic and for parallels between contemporary Jewish and Christian strictures.

94. 1049 (end), 814, 752 (end, a *derashah* very indicative of just what the Pietists favored and to what they were opposed). Cf. 784 (1312?).

95. 1816, 1838, 1375, 1037. For the extent to which the *rish'ut* of these scholars was real and not simply a product of the Hasidic perspective, see *supra*, pp. 330–335.

equal worth.⁹⁶ There is every reason to assume that much nonsense was marching at the time under the banner of Rabbenu Tam and Rabyah, and that a great deal of energy was being expended on “creativity” that could have been far better employed in simple study.⁹⁷ This was the opinion of the Tosafist R. Eliezer of Metz no less than that of R. Judah Ḥasid. Indeed, if full credence be given to the reports of the reliable R. Solomon Luria, the prickly genius of Rameru expressed himself as biting as the German Pietists ever did concerning what was being perpetrated in his name.⁹⁸

The uneven diffusion of the works of the Tosafists rendered dishonesty a permanent temptation. Rabyah, for example, knew next to nothing of the labors of Dampierre, and many years later the *Sefer Ḥasidim* could speak of cities which lacked *Tosafot* to certain tractates.⁹⁹ Nothing was easier for the ambitious than to pass off the questions and resolutions of the Tosafists as their own¹⁰⁰ and to claim title to a position of authority for which they were wholly unqualified. Dialectic also opened the gates to a new phenomenon—reputation via éclat. While there have been exhibitionists and frauds in all societies, in the previous culture, the path to eminence lay in massive scholarship¹⁰¹—comprehensive knowledge which could only be acquired by many years of study. If the emblem of excellence, however, was *hiddush*, making several subtle distinctions could bring a man

96. 746; 1440 end: בני אדם ציערו לאחד תלמיד חכם צער גדול, והיה אומר ברצון, יהיה חי עד שיראה נקמה מהם. אמר לו החכם מוטב שהייתה מתאוה להיות חי כדי שהייתה כותב תוספות בזה הייתה מקבל שכר טוב לעוה"ב וכו'. Do we have any guarantee that his *tosafot* would have been of any worth? (See *infra*, p. 343.)

97. 648. The need for practical Halakic knowledge in the period prior to the publication of the *Semaḳ*, *Sha'are Dura*, and the like was acute. See, for example, 765.

98. E. E. Urbach, *Ba'ale Ha-Tosafot* (Jerusalem, 1956), pp. 22–23. The report of R. Moses Taku is fully in keeping with what we know of R.T.'s and Ri's personalities. R. Jacob's reaction was apparently unrepeatable (ראמר מה שאמר); his nephew's, milder and perhaps wistful. Widespread use of the dialectic, he felt, was more appropriate for Messianic times, when in the words of the prophet “wisdom shall fill the land.” Until then resolution by distinction and radical reinterpretation was best left to the competent few.

99. 664 (cf. 1478), 1748.

100. 1707. For a contemporary example of this from Italy, see the remarks of R. Isaiah of Trani, cited by Urbach, *loc. cit.* The full text is to be found in *Sha'are Toharah*, ed. S. Goronchik (Jerusalem, 1940), fol. 88; *Teshubot Ha-Rid* (Jerusalem, 1967), column 100. See also *S.H.*, 1732.

101. See *infra*, pp. 345–346.

rapidly into prominence,¹⁰² at least in the outlying cities. And prominence ill-deserved will often be prominence ill-used. Some people, morally undistinguished, perhaps even deficient, could now claim a place in the religious hierarchy which would have been previously inconceivable. The traditional yardsticks of religious merit may well have been shattered by dialectic triumphant, without the latter offering any standards of its own other than that of intellectual excellence. Moreover, dialectic was in every sense a revolution, and revolutionaries tend to be arrogant. Many of the adherents of the new school may have looked down on the intellectual patrimony of their fathers and on the scholars who embodied it. In sum, it would be surprising if the Tosafist movement with all its immortal achievements did not at the same time set loose some little foxes who were spoiling the vineyards of the Ashkenazic community.

Or so at least it might appear to a conservative contemporary.

But the problem which confronted the Pietists went far deeper than these intellectual distortions. In the course of the twelfth century the Talmud was transformed from a static to an expanding universe. Nevermore could it be mastered—as Maimonides living in splendid isolation in a pre-Tosafist world still dreamt it might. It could only be probed and elaborated; and the process has continued to this day. It is difficult for us, heirs to seven hundred years of ongoing development, to imagine how new the phenomenon of *hiddush* was and what a heady brew it could prove for many who first tasted of it. For over half a millennium the efforts of an entire people had been dedicated to preserving its Babylonian heritage. The Talmud was to be conserved, explained, and applied. Commentary required great talent, and the application of law to a world as different from Sassanian Babylonia as was medieval Germany demanded a good measure of originality. But all this took place within the traditional Halakic perimeter—as did codification, which usually meant simply writing handbooks, unless, of course, one had a sweeping new conception as did Maimonides. And sorry to tell, even these fields were reserved for the great. For centuries there was little for the average, or even above average, scholar to do. Responsa writing is not self-initiatory, and the fame of the author will determine heavily the measure of acceptance to be won by a small code of restricted scope. Commentary had meaning only if performed on the scale of a tractate or more, and *explication de texte* of that magnitude was so grueling a test that not even the greatest could enter the lists alone. The circumscribed ambience of pre-Tosafist thought is reflected in its literary

102. 1707, 648.

remains. They consist of one collective, and perforce anonymous, effort at Talmudic commentary,¹⁰³ responsa and brief reports of the rulings of the famous, and sundry little handbooks scattered in the *Sifrut debe Rashi*—useful enough, but uninspiring. No work of any scope is to be found there. There are slender *livres de circonstance*, but there is little literary creativity, certainly no *personal* literary creativity, in pre-Crusade Germany.

In the next century Halakah burst out of its traditional confines. Every line of the Talmud became potentially problematic, and the men of the time accepted the challenge of detecting every latent contradiction in that vast corpus and suggesting its resolution. Within two generations the Talmud had been rewritten. In few periods of Jewish history has so much talent been liberated so rapidly. The achievement was breathtaking, perhaps intoxicating. Communal pride, the collective sense of being part of a heroic age of Torah, animated the Ashkenazic community, and it would be strange if it left individuals untouched.¹⁰⁴ Scholars or would-be scholars were busily writing *hiddushim* or *tosafot*, their *hiddushim* and their *tosafot* to the Talmud.¹⁰⁵ Authorship had come into being, and is it surprising that pride followed close behind?¹⁰⁶ Ambition too, as creativity now opened the doors to career and fame, and the Pietists inveighed regularly against the

103. The commentary of the Mainz academy published under the title *Perush Rabbenu Gershom*, see A. Epstein, "Der Gerschom Meor ha-Golah zugeschriebene Talmud-Commentar," *Festschrift Moritz Steinschneider* (Leipzig, 1896), pp. 115–143.

104. It is the academic scene and its pride in creativity that springs first to the Hasid's mind when he speaks of the need for modesty, see 815:

שורש ענוה: במקום שיש ריוח גדול וכבוד ירחיק את עצמו ולא יכליל את עצמו. כיצד? הרי לומד בפני רבו וזכר קושיה וחירון טוב לא יאמר לרבו או לחבירו כך הקשיתי וכך תירצתי אלא כך הקשיתי וכך תירצתי ... (ישעיהו ו') 'את מי אשלח ומי ילך לנני' מכאן למדה תורה ענוה לרבנים... וכשיושב בישיבה וידע קושיה או חירון טוב לא יקפוץ לאומרו וכ'.

See material cited in n. 106. The Pietists' reaction was doubly sharp for they were unaware that the creativity that they took for granted in sections 1950 (p. 473), 1052 and 774, was actually a new phenomenon. (The Berlin edition reads ענוה לרבנן but the Bologna reading ענוה לרבנים seems preferable and is corroborated by several manuscripts of the *S.H.* The term רבנים has often a contemporary connotation. See, for example, 648).

105. 746, 1440, 15 (p. 21), (1950, 1052).

106. 1052, 355. The disappearance of anonymous authorship, which the Pietists mourn (1558, 1955), and the phenomenon of plagiarism (1748, and see *supra*, n. 100) are parts of the same development. (One cannot help feeling that the giant shadow cast by Rabbenu Tam should somehow figure in this account. The towering intellect of R. Jacob and his leonine personality inspired awe and admiration among his contemporaries, and such sentiments, especially among students, lead to imitation. It is, however, far easier to copy the style of a man than his genius. The famous in all societies are mimetic figures, and one may wonder whether in this

growing phenomenon of *torah she-lo li-shemah* (study of the Law, not for its own sake).¹⁰⁷ Intellectual excellence was fast becoming the arete of the age, and he who possessed it was often only too easily tempted to dispense with the humbler and more inconvenient virtues. Repeatedly the Pietists warned their generation that intellectual accomplishment was no substitute for spiritual growth nor even a guarantee of religious integrity.¹⁰⁸

With their congenital inability to adhere strictly to any terminology, the Pietists used the term *she-lo li-shemah* at times as synonymous with *lilmod she-lo 'al menat le-ḳayyem* (study without the intention of full-filling the Law),¹⁰⁹ which in their hands meant not simply study by the religiously lax, but the reduction of *talmud torah* to a purely intellectual experience. Any expansion of the Divine norm was certainly in consonance with the goals of *Ḥasidut*, and the Pietists had no quarrel with the new *pilpul* as such. But the purpose of dialectic to them was not simply the solution of logical difficulties, but the detection by man of new demands made upon him by God. One thought in order to discover to what to submit. Unlike early Polish Hasidim, the German Pietists did not seek to empty *talmud torah* of its intellectual content, for that would have been self-defeating. They rather demanded *in* study the ongoing *experience* of law as an imperative.¹¹⁰ Only then was study integrated with and productive of religious growth, and anything less than that bordered on the criminal. A scholar who attained to a deeper understanding of the Halakah—that is to say, to a fuller comprehension of the Divine demands—but whose religious observance did not intensify concomitantly, could only be viewed, in the final analysis, as being in a state of rebellion.¹¹¹ *Talmud torah* could

regard the bold and overbearing personality of Rabbenu Tam was a wholly salutary image for a number of people. At the very least R. Jacob legitimized, for those whom nature so inclined, a greater measure of pride and self-assertion than had hitherto been acceptable in the conventional Ashkenazic image of the *talmid ḥakam*.)

107. To the material cited in the above note add 15 (p. 21), 648, (Bologna) 958. See also 860, 862, 919 (753).

108. 15 (p. 21), 746, and the endless warnings against *talmud torah* without *yir'at shamayim*, e.g., 752, 1029, 1053, 1093, 811, 820, 814.

109. 754, 756 (note contrast), (Bologna) 17. Compare (Berlin) 862 with 1707: אלא...יתן [הצדקה] ליראי ה' העוסקין בתורה לשמה/ אלא יתן ליראי ה' הלומדים לקיים אלא לומד (Ms. Bodley Opp. 340, fol. 134v reads in section 17 [of Bologna]: אלא לומד לשמה . על מנת לקיים לשמור ולעשות זו היא תורה לשמה .)

110. We are here focusing on what was distinctive in the conception of *talmud torah*. As all uniqueness in a traditional society is only partial, these orientations prevented neither the Polish nor the German Hasid from often engaging in the traditional modes and experiences of study.

111. (Bologna) 17; 1474 (end), 1475.

not co-exist with a static religious commitment. As dialectic marched from triumph to triumph, growing daily more sophisticated, more time-consuming, and more self-justificatory, the danger which loomed was precisely the detachment of learning from spiritual growth, the disassociation of comprehension from commitment.

The possibility of psychic imbalance now threatened the Ashkenazic community. The Tosafist movement had turned a corpus into a problem. In place of apprehension and application came now question and resolution. The act of knowing became creative and infinitely more time-consuming. The breathtaking accomplishments in Talmudic studies could not go unnoticed, and the desire to participate in them was only natural. Pre-occupation with the brave new world of dialectic tended to crowd out other activities and the menace of hypertrophy of the intellect made itself felt, as the old educational models—geared more to *Gestalt* than to accomplishment—were shaken. Prayer had played a central role in the old Ashkenazic culture and religious poetry had been reverently cultivated. The people found in *piyyuṭ* an expression of their deepest feelings and incorporated it, apparently on their own initiative, into the Divine service. The composition of religious poetry was widespread enough in the old Ashkenazic culture to be viewed as one of the desirable accomplishments of the *talmid ḥakam*, and its detailed study and explication formed an important scholarly pursuit.¹¹² There could be no writing of *piyyuṭ*, no understanding of *piyyuṭ*, without a deep orientation in Bible and Midrash. As learning in this world was assimilative rather than creative, the scholarly style was milder, the profile lower. Many of the traits that we associate with Rashi—reticence, modesty, temperateness of expression—are common to the literature of the eleventh century.¹¹³ In cultivating simultane-

112. E. E. Urbach, *'Arugat Ha-Bosem*, IV, 1 ff.

The late Dr. Daniel Goldschmidt once remarked to me that the reason Rashi penned his *piyyuṭim* (which add no luster to his name) was that it was expected at that time that the well-rounded *talmid ḥakam* had to be able to compose some religious poetry upon the proper occasion. "Oh, roughly analogous," he added, "to a *derashah* in our days. He [a scholar] needn't be a *darshan*, but he should be able to say some appropriate words as occasion demands."

113. This is the type of statement for which it is difficult to cite book and verse. Yet close to a decade's work in the literature of the eleventh century has given me the sustained impression that Rashi is unique in the near total cohesion of his thought and in the lucidity of his presentation, but hardly atypical in character and general bearing. Rashi is simply a sterling (and prominent) example of a pre-Crusade Rhineland scholar. Dr. Abraham Grossman of Hebrew University, who has made the most exhaustive study of the figures of the period (soon to be published), has concurred with this impression.

ously Talmudic scholarship, poetry, prayer, Biblical exegesis, and Mid-rashic interest, the old Ashkenazic ideal had nurtured a wide range of human faculties, had drawn upon and developed a broader spectrum of man's capabilities. The equilibrium of the intellectual, imaginative, and moral faculties was being upset by this preemption of aspiration on the part of *talmud torah*. On a deeper level, much of *Sefer Hasidim* is an attempt to redress this imbalance.¹¹⁴ On this we shall have more to say later.

It is in a good measure as a corrective to the growing intellectualism of the time that the movement of the *Haside 'Ashkenaz* arose. That morals outweigh scholarship and that knowledge is no safeguard of virtue are statements that would win assent from all segments of normative Judaism, and they imply no challenge to the axiological primacy of *talmud torah*. Study of the Law is the most desirable and sublime pursuit of man, and it occupies the center of Hasidic aspirations in this world and, more significant, in some of their dreams of the world to come.¹¹⁵ *Sefer Hasidim* overflows with panegyrics to *talmud torah*, and it should be emphasized that it is *talmud torah* understood in the traditional sense of the phrase.¹¹⁶ Much advice is given on how to achieve maximum results in one's study,

114. On a simple, technical level, see, for example, Urbach, *op. cit.*, p. 110. Parallels can be found, *mutatis mutandis*, in contemporary Christian literature, for much of the Pietists' strictures, such as the preemption of interest by dialectic, the crowding out of other disciplines and the cultural imbalance that follows, curriculum distortions and the precipitous introduction of the student to the new technique, the opening of positions to the unqualified and the increasing study for the sake of fame and self-advancement. See, for example, John W. Baldwin, *Masters, Princes and Merchants: The Social Views of Peter Chanter and His Circle* (Princeton, 1970) I, 81–86, 100, 130–131, and notes, *ad loc.*; U. T. Holmes "Transitions in European Education," in M. Clagett, G. Post and R. Reynolds (eds.), *Twelfth Century Europe and the Foundations of Modern Society*. The Pietists' critiques are few and their language mild indeed, in comparison with what Neckham, Gerald of Cambridge, Jacques de Vitry, and John of Salisbury, among others, had to say about the misuses of the new logic and its adverse effects. What must be kept in mind, however, is that Jews had no tradition of rhetoric whose avowed aim was suasion rather than truth—a tradition which would instantly adopt dialectic to its purpose—, no institution of *disputatio* and no curriculum of *sophismata logicalia*, both of which would at once hasten and heighten the ill uses to which dialectic could be put. Nor could Halakic eminence open the gate to any equivalent career of high service to prince or churchman as could Roman or canon law. Tosafism was prestigious but hardly a "lucrative science."

115. Ben-Sasson (*op. cit.*, pp. 77–78) has drawn attention to this fact. See also *Hokmat Ha-Nefesh*, fol. 14a. (*S.H.*, 1546 says the same thing as *Hokmat Ha-Nefesh*, but I do not believe that it can be brought as proof of an aspiration.) Section 1838, to which Prof. Ben-Sasson draws attention, is probably the best description of the Hasidic ideal of *talmud torah*.

116. *Talmud torah* is never a means for achieving another and higher religious

and the standards of Talmudic knowledge aspired to by the Pietists would satisfy the most demanding.¹¹⁷ They pointed freely to the blemishes of many scholars, but their writings contain no indictment of a class. It never occurred to the Pietists that in being relieved of paying taxes, the *talmid ḥakam* was possessed of an undeserved prerogative. Indeed, the privileged economic position of the scholar is upheld by the Hasidim in stronger terms than those of the Talmud.¹¹⁸ The remarks of the *Sefer Ḥasidim* constitute no revolutionary evaluation of *talmud torah* or fundamental critique of *talmide ḥakamim*; they were simply a reassertion of certain truths which may have been overlooked in the intellectual enthusiasm of the late twelfth century. Significantly, their words were read for seven hundred years without anyone's taking offense.

Yet—after all this has been entered on the ledger, there remains a residue of bitterness in the Pietists' remarks that is still unaccounted for. This acrimony is partly due, as we have already noted, to their defeats and humiliations at the hands of the intellectual establishment. Yet anger is discernible in the *Ḥokmat Ha-Nefesh*, which issued from the pen of R. Eleazar of Worms, as prominent a member of that establishment as one could desire—author of the *Roḳeah*, signator of the *Takḳanot Shum*, and

end, although if undertaken in the proper spirit, it should lead to a deepening of *yir'at shamayim* (see *supra*). Furthermore there is no passage, to the best of my knowledge, where *talmud torah* even connotes the exclusive study of Hasidic lore, though quite naturally such an inquiry is often included in the term. (See, for example, J. Dan, *op. cit.* [*supra*, n. 7], p. 171, n. 8.)

117. E.g., 1474, 768, 769, 771 (this last section seemed excessive to some subsequent generations and the parallel passage in the Bologna *S.H.* [1954] was omitted in several printings of that work, such as Sulzbach [1685], Frankfurt [1743], Zolkiew [1785], 774, 775, 1796, *et ad libitum*.)

118. Contrast *Baba Batra* 8a: אמר רב יוחנן הכל לפני העיר ואפי' מתמי, אבל וחלמידי חכמים שעוסקין יומם וליילה לא יתנו עמם דבר כי לא בעבורם הוטל אלא בעון עמי הארץ, ותורת אלהים משמרתן. To the Hasidic mind the point of the Biblical narrative of Joseph's treatment of the landed holdings of the Egyptian priests is to teach us that scholars are exempt from taxation. This is the very *raison d'être* of the passage. (See *supra*, n. 7.) The Hasidic tradition reported by R. Joseph Ibn Ezra, to which Ben-Sasson (*op. cit.*, p. 66) has drawn attention, is entirely in keeping with what we know of their outlook: שפעם אחת בא עריכה בקהל, והיו שם ב' ת"ח עשירים, רצו לפטור עצמן מהמס מטעם שהם פטורים, כפי הדין. וכל הקהל היו מרוצים, וקמו עשירי הקהל ומיחו בידם והעריכו. ולא מלאו חודש ימים שמתו...ובליל הושענא רב' נתנמנם החסיד. וראה את ב' עשירים אלו שהיה חמור אחד נושך לאחד על כתיפו... שאל החסיד ... מה פשעתם לה' שתוכו מכה אכזרי' כזאת? השיבו לו: על שעכבו ביד המסייעין לה"ח בענין הערכין וכו'.

scion of one of the most distinguished families of Ashkenaz.¹¹⁹ Bitterness, of course, need not be the result of one's own experiences; it could reflect indignation at the fate suffered by well-meaning followers. But it may be that there is indeed a personal dimension to the resentment that has been detected in the writings of R. Eleazar.

From a reading of the *Roḳeah* one would never suspect that an intellectual revolution was sweeping through the schools of Ashkenaz. It is a work in the tradition of the *Sifrut debe Rashi*¹²⁰ and has little connection with the world of the Tosafists. This is not a consequence of brevity or practical purpose, as is sometimes suggested. The *Semak* is no less a brief popular handbook, but the problems there treated are those created by the new dialectic and the doctrines cited are drawn from the writings of the Tosafists. R. Eleazar's work, however, in no way reflects those of Raban, R. Ephraim, or Rabyah, nor does it seek in any way to sum up their achievements. It lives in a world that is still unbedeviled by the contradictory results of Talmudic collation and the multiple possibilities of resolution. To the author of the *Roḳeah* the Talmud still means one thing, and it is this straightforward meaning, together with the traditions of the Rhineland and the rulings of its great, that constitutes his Halakic world. The *Roḳeah* is in direct line of descent from the *Ma'ase Ge'onim* and the *Pardes*, and this fact may be of significance. Unless R. Eleazar was an atavistic oddity, this would indicate that alongside the great creative centers of Mainz, Bonn, and Regensburg there existed a conservative circle, which while in no way opposed to dialectic—indeed, it could even break a dialectical lance if

The attitude in the above story is slightly tempered by their remarks in section 1392, where they counsel a scholar to share in the communal burden only if he is able. Note, however, that this is a voluntary participation on his part and not an obligatory one, and they never counsel the community to make it such. While the attitude of *Ḥaside 'Ashkenaz* to *'amme ha-'arez* is beyond the scope of this essay, one simple example may indicate how much more complex and ambivalent was their relationship to the unlettered than is commonly imagined. One would hardly expect the chilling dictum of the *Yerushalmi* (*Horayot* III:4) כְּסוּת אִשֶׁת חֵבֶר כְּסוּת אִשֶׁת חֵבֶר לְחַיִּי עִם הָאָרֶץ to appear on the pages of *Sefer Ḥasidim*. Yet it does in section 1676, without any apparent qualms on the part of the writer, such as those which troubled some Halakists (e.g., *Pene Mosheh*, *ad loc.*; *Shak*, *Yoreh De'ah*, 151:16). That this is no mechanical citation nor literary ballast carried without any real awareness of its import can be seen from the end of the section, where the *Hasid* qualifies the definition of both כְּסוּת and that of אִשֶׁת חֵבֶר—to align the dictum with his sense of right and wrong—but takes עִם הָאָרֶץ לְחַיִּי quite literally and without any apparent compunction.

119. This was noted by Ben-Sasson (*op. cit.*).

120. Cf. E. E. Urbach, *op. cit.*, pp. 328 ff.

need be¹²¹—never really assimilated the achievements of the new *pilpul* or made them part of its Halakic *Anschauung*. Being conservative, this circle wrote little, but it was none the less alive for this fact. The *Ḥaside 'Ashkenaz*, I suggest, arose from a group that still lived in a world of simple rather than multiple reference. If this be going beyond the evidence, this much is certain: the one certified¹²² talmudist among the movement's founders was closer Halakically to the spirit of the eleventh century than to that of the thirteenth.

But the thirteenth century was the one in which they lived, and this was a French century—even in Germany. German scholars studied regularly in France, while the Frenchman who studied in Germany was rare indeed. Rarer yet is any reference to German works in the writings of R. Judah of Paris, R. Moses of Coucy, or R. Isaac of Corbeil. Though Rabyah and R. Eleazar of Worms both studied with a pupil of Rabbenu Tam, each in his own way still represents a distinctive German tradition. Their pupil, R. Isaac 'Or Zaru'a, belongs as much to *Zarefat* as to *'Ashkenaz*. There is a great deal of Germanic material in the *'Or Zaru'a*, but it is not a work of Germanic tradition. From the days of Rabbenu Tam and R. Isaac of Dampierre, a French wave beats upon the shores of the Rhineland, and in the second quarter of the thirteenth century it succeeds in inundating it. R. Meir of Rothenburg is in his thought and rulings no more German than French, and the same holds true for R. Mordecai ben Hillel. As for R. Asher (Rosh), who would know of the achievements of Raban and Rabyah if he took his instruction from the *Pisḳe Ha-Rosh*? There is far more of Spain and Provence in that work than there is of his German homeland.¹²³ And when he turned to commentary, it was the *Tosafot* of Dampierre that he edited and preserved and not those of Riba or Ribam. Germany as a distinct Halakic culture ceases to exist somewhere around the year 1230, and the lament of R. Eleazar of Worms in his *Sefer Ha-Hokmah* that he has no one to whom to transmit his esoteric traditions

121. See *ibid.*, pp. 334 ff. The precise level of R. Eleazar's attainments in dialectic deserves a separate study.

122. I add "certified" because R. Samuel Ḥasid has also a Halakic work to his credit. However, since next to nothing of it has survived, we can evaluate neither the man nor his posture.

123. H. Soloveitchik, *Mashkon We-'Areb: Shene Meḥkarim Be-Ribbit U-Be-Toledot Ha-Halakah Be-Galut* (Dissertation, Hebrew University, 1972), pp. 52 ff.; *idem*, "Can Halakic Texts Talk History" in the forthcoming issue of the *Bulletin of the Institute of Jewish Studies*. I have in this paragraph borrowed several formulations from that article.

is only part of a wider phenomenon.¹²⁴ R. Judah He-Ḥasid and R. Eleazar of Worms lived out their days watching the decline and fall of Ashkenaz.

It was from the aristocratic center of the Jewish community and not from its periphery that German Hasidism arose.¹²⁵ And total and unwavering indeed was the devotion to *talmud torah* on the part of these families who, for centuries, had embodied the ideals of the Ashkenazic community. This is a fact which cannot be stressed enough.¹²⁶ But it should equally be understood and emphasized that this elite was now helplessly witnessing the erosion of its own position. Anyone reared upon the Tosafot of Dampierre would find the world of the *Roḳeah* woefully inadequate. But challenge Dampierre and Rabyah the Pietists could not, for not only traditional values but their own ideology bound them fast to the revolution that was sweeping through the *yeshivot* and *batte midrash* of Germany. Far from being antinomian, the very ark of the Hasidic covenant was the aggrandizement of the Divine norm, and this quest for self-fetterment made the Pietists one with the spirit of the new dialectic with its unremitting expansion of the Halakic dictate.¹²⁷ The success of this dialectic, however, was destroying the very world that the Hasidic leadership represented. It was supplanting the primacy of their traditions, undermining their communal preeminence and sorely limiting their capacity for effective action. R. Judah Ḥasid and R. Eleazar Roḳeah were committed thus to the instruments of

124. J. Dan, *op. cit.* (*supra* n. 7), p. 171: ולא זכיתי ללמוד (!) השערים לאחרים כי פוסקו (!) אנשי מעשה ונתמעטו הלבבות מבלי להבין איך יוצא התלמוד מה' חומשי תורה. I inquired of the late Prof. Ephraim Gottlieb whether he felt these words were a stock-in-trade preface penned simply to justify committing esoteric knowledge to writing. His reply was in the negative.

125. It is doubtful whether anyone less than a certified aristocrat could have risked propounding, in Ashkenaz, the strange and novel demands of the *reẓon ha-Bore* and not be run out of town, not to speak of his winning a hearing.

126. German Hasidism is often described as a popular movement. Much depends on the sense in which the term is used. If by "popular" one wishes to say that it reflects beliefs and attitudes current in Germany at the time in contradistinction to the outlook of the received "canonized" literature, there is a good deal of truth to this description. If it denotes sympathy with the victims of injustice and a desire to right things, the term is again being used accurately. If the statement means that German Hasidism arose from the "populus," from the simple or under-privileged sectors of the community, it is demonstrably false. If "popular" implies that Hasidic ideas found a receptive audience in those downtrodden segments and drew from them adherents, the assertion is unproven. We know absolutely nothing of the social origins of any Hasid other than those three founders and theoreticians of the movement, R. Samuel, R. Judah, and R. Eleazar, bluebloods all.

127. I should hasten to add that the vehicles of expansion were utterly different.

their own destruction, of their own dislodgement, at the very least,¹²⁸ and from this sprang their profound ambivalence towards *talmud torah* and *pilpul*. Hasidic literature is the work of a spiritual elite; much of it is at the same time the work of a displaced aristocracy or one in the process of being stripped of its intellectual and political patrimony.

Where are the Kalonymides or the other old and famous families of Ashkenaz after the 1220's? It is Bohemia and not the Rhineland that provides Germany with its leaders in the next generation, and these men did not distinguish between the Seine and the Rhine, the Aube and the Tauber; neither did their successors—R. Meir of Rothenburg, R. Asher, R. Meir Ha-Cohen, and R. Mordecai ben Hillel—of whom only the latter was a scion of a once famous family. The importance of lineage in the thought of the Hasidim, the repeated protests on their part against the marriage of the well-born (*bene-tobim*) with the unworthy rich, and their laments about the seizure of communal leadership by the base and the wicked, reflect, I suggest, this loss by the old Rhineland aristocracy of the commanding heights of prestige and power. And one wonders whether one of the sources nourishing their sympathy for the deprived was not their own sense of disinheritance. For German *Hasidut* was shaped by men who had been adversely affected by the events of their time, not through any shrinkage in their means, but through a change in the pattern of allotment of deference and authority.

What the early decades of the thirteenth century witnessed was not simply the displacement of an elite but the passing of an entire culture, though this properly is the subject of another essay and I can give only the barest of intimations here. It would be surprising indeed if, in a society centered to an extraordinary degree around *talmud torah*, talmudic studies could be transformed and intellectual traditions ruptured without this having far-reaching effects. The inability of R. Judah Ḥasid and R. Eleazar Roḳeah to find pupils worthy of transmitting to them the esoteric lore of

The Hasid did not derive the Larger Will through any use of the new dialectic, but rather (to put it roughly) made normative the moral suggested to him by a Biblical or Talmudic narrative. His approach was intuitive rather than technical, associative rather than discursive.

128. Is it accidental that R. Judah Ḥasid, when struggling angrily to uphold the liturgical text of his movement, labels other variants as "the French practice," even though these variants were no French innovation, but had been recited equally in Ashkenaz and go back to Geonic times (Urbach, *'Arugat Ha-Bosem*, IV, 92 ff.)? Or was this simply an admission that the legitimation for these variants, so contrary to *his* ideas and traditions, stemmed from its receiving French endorsement? Was he not saying in effect that his text was under French pressure?

Ashkenaz, of continuing its oral tradition, was one such consequence. The drop in the volume, quality, and interest in *piyyuṭim* was another. Liturgical creativity flags after 1230,¹²⁹ and except for one pupil of R. Judah, R. Azriel of Bohemia, the study of *piyyuṭ* ceases to interest the German community, or interests it to a much lesser extent. This too I would relate to the French “invasion.” *Piyyuṭ* never struck deep roots in France. Rashi’s generation and the generation of his early pupils and younger contemporaries—R. Meir of Rameru, Rashbam, and R. Joseph Kara—were raised in an Ashkenazic world and, faithful to their upbringing, they either composed or interpreted religious poetry.¹³⁰ Their successors—R. Isaac of Dampierre, R. Samson of Sens, the French Tosafists—had little contact with the Rhineland, knew next to nothing of its traditions, and evinced no interest in *piyyuṭ*.¹³¹ From the days of R. Isaac to those of the exile in 1306, poetry is noticeably absent from the center of the French stage. With the French conquest of Germany, *piyyuṭ* becomes peripheral even in the Rhineland. Finally, there is the decline of prayer, communal prayer at least, in Germany from an encounter between man and his Lord to the status of a *mizwah*, albeit one which required *kawwanah*, together with the concomitant transformation of the cantor (*sheliaḥ zibbur*) from his eleventh-century role as the communal ambassador to the on high to that of a religious functionary.¹³²

The intellectual perception of the Ashkenazic community had been transformed by the early decades of the thirteenth century, its religious experience altered, and its traditions, both in law and in mysticism, threatened with extinction. The movement of *Ḥaside 'Ashkenaz* was in one sense a reactionary one. It was an attempt by the leaders of the old Ashkenazic culture to defend the received values and customary modes of understanding. The irony was that while some of the *postures* and *values* defended

129. Professor Aaron Mirsky has confirmed this impression of mine and further informed me that the material in manuscript presents the same picture.

130. Urbach, *ibid.*, pp. 6–23.

131. Rabbenu Tam is a transitional figure in this regard. The correlation in France between knowledge of the pre-Crusade literature and the involvement in *piyyuṭ* is perhaps worth noting. R. Meir of Rameru and Rashbam possessed a firm familiarity with this lore, R. Tam far less. R. Isaac of Dampierre was either ignorant of this world or oblivious to it. (See *Proceedings of the American Academy for Jewish Research*, 38–39 [1970–1971], 255, n. 98.)

132. A few salient points of a theme that will be developed in detail elsewhere: no cantor of the thirteenth century possessed anything approaching the standing of R. Meir *sheliaḥ zibbur* of the eleventh century or that of R. Eleazar Ḥazan of Speyer in the early twelfth. Elections of cantors first appear in the latter half of the twelfth century, as do salaries. I do not mean to imply by the phrase “religious functionary” a low communal standing for the cantor—R. Joseph Ḥazan is after all

by the Hasidim—low personal profile, temperateness in dealings with others, the centrality of prayer, and the importance of balanced knowledge as distinct from exclusive preoccupation with *novellae*—were indeed old Ashkenazic ones,¹³³ the *doctrines* of the movement—the myriad prescriptions

one of the signators of the *Takkanot Shum*—but that he is no longer a central religious figure, no longer a keeper of the secrets of prayer or arbiter and guardian of its potent text. This cannot be attributed to the decision of the Pietists to disseminate their lore, for the decline is noticeable before the decision of R. Judah and R. Eleazar to “go public” as it were. (See J. Dan, *op. cit.* [*supra* n. 7], p. 173.) Needless to say, this decline was accelerated and intensified in the outlying settlements and slower in the old centers, see *’Or Zaru’a*, I, 113. (One could object that the question of elections first appears in the literature of the early thirteenth century not because elections were relatively new, but because the traditional principle of election—unanimity—was coming under increasing pressure from the new concept of majority rule. I can only counter that to my mind the received picture of communal organization is in error. Ashkenazic communities were at all times run by the majority principle. This position will be argued in detail in the forthcoming *She’elot U-Teshubot Ke-Makor Histori.*)

It may be instructive to draw attention to the codicological discoveries of Dr. M. Beit-Arié and his staff at the Institute of Hebrew Paleography. “Bookmaking” in Germany undergoes a transformation during the thirteenth century. From 1233 on a novel process of preparation of hides is discernible which comes to fruition by 1264. By the same date a new system of rulings and prickings comes to the fore. We do not know how French manuscripts were prepared as almost no manuscripts with French colophons have survived. Thus we have no right to attribute this transformation to the growing French influence. One might, however, note that two of the three codicological changes that took place in German Hebrew manuscripts during the thirteenth century occurred in England amongst Latin manuscripts in the wake of the Norman conquest! (See M. Beit-Arié, “Tekunot Kodikologiyot Ki-Beḥanim Paleografiyim Be-Kitbe Yad ’Ibriyyim Bi-Yeme Ha-Benayim,” *Kiryat Sefer*, 45 [1970], 435–446, especially p. 444, n. 30. The dates given in the article are 1254 and 1272. Subsequent research, however, has advanced them respectively, Dr. Beit-Arié tells me, to 1233 and 1264. It is these dates that I have employed.)

133. Some of these traits had achieved, as early as the eleventh century, an intensified embodiment in certain isolated individuals, as for example the excessively humble style of the Makirites, the self-effacement of R. Jacob ben Yakar (not to speak of his unique Divine service of floor sweeping, [991]), and the literalism, *perishut*, and possible stringency of R. Sasson. From a study of the literature of pre-Crusade Jewry one obtains the impression that certain general values of the period, which attained occasionally extreme individual realization, were adopted and intensified by the Pietists, placed in a fresh conceptual framework, and made normative. (For the traits of the above-mentioned scholars, see A. Grossman, *Toledot Ha-Sifrut Ha-Rabbanit Be-Ashkenaz U-Be-Zarfat Ha-Zefonit Ba-Me’ah Ha-’Ahat ‘Esreh* [Dissertation, Hebrew University, 1973], pp. 320–21; cf. pp. 172 ff., 243 ff. See his remarks about R. Isaac b. Mosheh, *ibid.*, pp. 297–98. Though I would take exception to some of the instances that Grossman adduces for his portrait of R. Sasson, I nevertheless find myself in agreement with his overall evaluation of that scholar.)

of God's larger Will (*rezon ha-Bore*), not to speak of its folklore and demonology—were more thoroughly medieval than anything produced in the schools of Rameru and Dampierre. The creative spirit of the twelfth century had, all unawares, touched R. Samuel Ḥasid, his son R. Judah, and R. Eleazar of Worms no less than it had R. Jacob Tam, and despite the most conservative intentions they could not help but transform what they touched. In retrospect the movement of *Ḥaside 'Ashkenaz* appears as a natural complement to and corrective of that of the Tosafists. The explosion of European Halakic thought demanded a similar expansion of the ethical and the imaginative world. The altered modes of perception made it, moreover, impossible for the Midrash, now speaking a distant language, to communicate directly with the men of the late twelfth and thirteenth century and to provide them with a comprehensive *Weltanschauung*. Spiritual atrophy threatened unless the new European Talmud was provided with its own Aggadah. While seeking to defend the old, the German Pietists were actually engaged in composing a new Midrash. And with partial success. The ethic of medieval Jewry did in time become that of the German Hasid, but its imaginative and theosophic world was to be that of the Spanish Kabbalah, the true Midrash of Europe.

IV. Retrospect and Points at Issue

The meaning often given to *din shamayim*, the centrality attributed to it in the Pietists' thought, and the image of the Hasid as torn (consciously or not) between two competing sources of authority, tells us, I suggest, more about the outlook of modern Jewish historiography—its attraction to the simple and the intuitive or its fascination with the antinomian and paradoxical—than about the thinking of those medieval German Jews who so aspired to the epithet "Hasidim." The interpretation which would make the perception of a natural ethic a focal point in Hasidic thought, possibly even its motor force, must fall back on the categories of unconscious tension or paradox when confronted with the Pietists' relentless policy of stringency (*haḥmarah*) and their passionate concern for Halakic minutiae—not to speak of the hundreds of ritual prescriptions of their own making.¹³⁴ Far from being antinomian, the Pietists were norm-hungry, and their threefold activity of safeguarding the given, developing the revealed, and discovering the hidden, flowed from one psychological and conceptual

134. Cf. Baer, *op. cit.*, pp. 12–13.

center. To reduce (or to make peripheral) the multitudinous and varied prescriptions of God's Larger Will to a few ethical and social demands is to shut one's eyes to much of the Pietists' writings and almost entirely to their religious aspirations. Not *din shamayim* but the Will of the *Bore* is the proper foil to *din ha-torah* in Hasidic thought. And these two revelations—the explicit and the implicit—should hardly be conceived of as competing poles of allegiance but as concentric circles emanating from a unitary (and ever expanding) Divine Will, the outer perimeter of which takes on meaning only because of the wide ambience of the inner.

But does not *din shamayim* imply a notion of natural law which at least latently challenges the positive norm?¹³⁵ The answer is yes, but that yes takes on meaning only after two more basic questions are answered—implied to whom, and in what sense are ideas latent. For over a millennium natural law has played a prominent and catalytic role in Western history as it provided men with an ultimate measure of right and wrong, a touchstone of existing institutions, and a justification of rebellion. Two, possibly three, of the four major revolutions of modern times—the American, the French, and the English—have taken place (ostensibly at least) under the banner of this ideal. The contemporary historian is understandably attuned to the slightest whisper of such a notion in his readings. Whether such a sensitivity has a place in the study of the *Sefer Hasidim* is open, however, to question. It is a fact that neither *Haside 'Ashkenaz* nor anyone else in the Ashkenazic community over the course of seven hundred years was aware of the explosive nature of *din shamayim*. A Confucian philosopher reading Aquinas would no doubt perceive many startling implications. If, however, Thomas himself never drew those conclusions, nor were they perceived by subsequent scholastic thought or by Western culture to this day, the implications would not “exist” in any historical sense of the word. They would be present only in a philosophical fashion—in the mind of the Perfect Knower. What we could learn from the Chinese thinker's observation would be precisely the reverse—that these ideas were without resonance in Western culture. The fact that *din shamayim* remained for seven hundred years within the exact confines in which the German Pietists left it—though it could easily have developed into something akin to natural law—indicates that while Ashkenazic culture was not unreceptive to antinomianism, it was singularly unresponsive to natural law and all that this idea entailed, and that if a source of competing authority were to arise

135. Cf. Scholem, *op. cit.* (*supra*, n. 8), p. 94.

indigenously to challenge the primacy of the Halakah, it would not be able to base itself upon a self-confident, humanistic, and universalist intuition.

“Every man like the moon,” wrote Mark Twain, “has his dark side.” The Pietist was no exception, and the second theme of this essay takes issue with the romanticized portrait often drawn of the *Ḥaside 'Ashkenaz*. Though meek and quiescent in their private dealings, they were in communal matters assertive, presumptuous, and elitist to the bone. No doubt the Hasid looked upon himself as filled with the milk of human kindness—and perhaps justly so. But the phenomenon of overflowing love turning to fury and hatred, when the bearer of a new religious tiding finds his claims denied, is common enough. We meet it frequently in the Gospels and it will be found in the *Sefer Ḥasidim*, if we read it with open eyes. Historiography has tended to accept both the Pietist's self-image and his idiom at face value and has not questioned whether terms like *resha'im*, *perizim*, *yir'e ha-shem*, *lilmod she-lo 'al menat le-ḳayyem*, *le-zakkot 'et ha-rabbim* have not a distinctive (and revelatory) connotation in his writings. So deeply has scholarship sympathized with the Hasidim that it has not wondered how the Hasid appeared to others or why the opposition to his ways from what was possibly the most God-fearing and martyrdom-tested community in Jewish history. Were his new religious demands reasonable? Were his preemptive claims and conduct not downright insulting? It was, ironically, the conjunction of an admirable humility and concern for others with the nature and ideology of Pietism that produced the antagonistic amalgam. The humble Pietist did not view his submission to God's will (as he conceived it) as something out of the ordinary; he saw himself simply as one who strove to fulfill his duties as a Jew. From this it followed that those who did less than he were lax or non-observant Jews (*resha'im*). Though the conclusions to be drawn from this were bitter, the Hasid did not shrink from them. The result was a religious elitism which many found repugnant. Hasidism as an ideal religious type, German Hasidism certainly, is characterized by exaggerated and supererogatory behavior. “He [the Hasid] is the enthusiast, whose radicalism and utter emotional commitment are not to be deterred by bourgeois considerations.”¹³⁶ So long as these tendencies are confined to the private domain all is well. But when a spirituality of extremism is coupled with an ideology of public service

136. Scholem, *op. cit.* (*supra*, n. 75), p. 341.

(*le-zakkot 'et ha-rabbim*), the clash with the communal order becomes inevitable. Defeat follows, and bitterness with all its psychological distortions soon sets in.

Finally this essay questions whether the celebrated remarks of the *Sefer Ḥasidim* about *talmud torah* and *talmide ḥakamim* constituted a theoretical evaluation of these institutions and thus expressed a basic axiological critique, or whether these words arose from a distinct historic context and possessed a specific address. It is the Tosafist movement—surely not one of the more bashful events of Jewish history—which forms the backdrop to *Ḥaside 'Ashkenaz*. Much of *Sefer Ḥasidim*, both good and bad, is a product of and a response to the disruptive effects of the new dialectic. The Hasidic movement was a reaction to, and at the same time part of, the intellectual revolution that was sweeping Ashkenaz in the twelfth century. That so much of importance could be written about German Pietism without a reference to the Tosafists is a tribute to the brilliance of modern historiography. It also may say something about its orientation. It bespeaks an outlook which sees Halakah as an intellectual discipline rather than as a cultural and “political” force, and hence of no wider significance. Halakah may well have become in modern times—even for the Orthodox—simply a *regula*; in the medieval period it formed a good part of the cultural matrix of the society and was at the same time a pathway to power. Constituting the major source of legitimacy, it inevitably invested its interpreters with authority and influence. A revolution in Jewish law, a swift and complete *bouleversement* in the major system of Jewish thought—in Ashkenaz the only structured system of thought—could well entail a transformation of perception and a change in elites. Forty years ago we knew little about the ebb and flow of legal thought. Things have changed considerably since. And the historian, even if he should choose to speak of matters purely spiritual or social, can now neglect Halakic developments only at his own peril.