

## ***Tosafot Tukh on the Talmud: R. Eliezer of Tukh's Redaction of the French Tosafist Tradition***

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### **Introduction**

R. Eliezer of Tukh was a German Tosafist who flourished in the second half of the thirteenth century.<sup>1</sup> His most lasting contribution to Torah study is *Tosafot Tukh* (תוספות טוך), an edited version of the great French Tosafist tradition of Talmud study. *Tosafot Tukh* is the “printed” *Tosafot* that appears on the outer margin of the Talmud page in many of the major tractates, including tractates *Shabbat*, *Erubin*, and *Pesahim* in *Seder Mo'ed*, tractates *Yevamot*, *Ketubot*, and *Gittin* in *Seder Nashim*, tractates *Bava Kamma*, *Bava Mez'ia*, *Bava Batra*, and *Shevu'ot* in *Seder Nezikin*, tractate *Hullin* in *Seder Kodashim*, and tractate *Niddah* in *Seder Tohorot*. Indeed, when people refer to “*Tosafot*” they are, more often than not, unknowingly referring to *Tosafot Tukh*. This article seeks to delineate the salient characteristics of R. Eliezer's work with the goal of providing a comprehensive description of his *Tosafot*.

### **A Faithful Redaction**

We have seen in a previous article<sup>2</sup> that the primary sources for *Tosafot Tukh* were the Tosafist commentaries that emerged from the French

<sup>1</sup> For biographical information regarding R. Eliezer, see E. Urbach, *Ba'alei Ha-Tosafot* (Jerusalem, 1986), 581-585, and A. Leibowitz, “R. Eliezer of Tukh: A German Tosafist,” *Yerushateinu* 7 (2013): 5-18.

<sup>2</sup> The current article is the third in a series of articles on R. Eliezer of Tukh's redaction of *Tosafot*. The first two articles can be found in *Hakirah* 18 (2014) 235-249 and *Hakirah* 20 (2015) 191-204. For the development of the Tosafist enterprise as a whole—from its origin through the editing stage undertaken by R. Eliezer—see “The Emergence and Development of *Tosafot* on the Talmud,” *Hakirah* 15 (2013): 143-163.

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Tosafist academy of R. Yitzhak of Dampierre (Ri Ha-Zaken). That is, R. Eliezer did not draw directly from the earliest Tosafist sources, such as the writings of Riva (ריב"א), R. Tam, Rivam (ריב"ם), or even the Ri Ha-Zaken himself. Rather, R. Eliezer utilized the highly sophisticated and comprehensive commentaries produced by Ri's students. R. Eliezer's most notable sources included *Tosafot Shanz* of R. Shimshon of Shanz (d. 1214), *Tosafot R. Yehudah* of R. Yehudah of Paris (d. 1224), and *Tosafot R. Barukh* of Rabbenu Barukh (d. 1211).

We have also seen that R. Eliezer engaged in various forms of editing. Much of the editing was light, such as minor syntactical alterations. However, there were also more significant methods employed, such as condensing and abridging the source texts, or integrating material from one of his source texts with another.

Despite R. Eliezer's editing, he added very little new content into the Tosafist corpus he inherited. Quite the contrary; R. Eliezer exhibited an extreme faithfulness to his sources. It is fair to say that R. Eliezer's primary role in *Tosafot Tukeb* was not that of an originator, but of a transmitter of the rich Tosafist tradition. Accordingly, *Tosafot Tukeb* is not an original commentary as much as it is a faithful redaction of the rich Tosafist tradition that preceded R. Eliezer.

R. Eliezer's faithfulness to the teachings of Ri's students is evident from a passage-by-passage comparison of *Tosafot Tukeb* with earlier works. For example, *Tosafot Shanz* is extant on large sections of tractates *Pesahim* and *Ketubot*, and comparison of the texts testifies to R. Eliezer's consistent and methodical dependency on, and faithfulness to, the *Tosafot Shanz*.<sup>3</sup>

Regarding other tractates, where there are no extant records of *Tosafot Shanz*, there are other Tosafist works that bear a striking similarity to *Tosafot Tukeb*. This is the case, for example, with an anonymous commentary on tractate *Shabbat* attributed to a student of Ri and an anonymous commentary on tractate *Bava Kamma* authored by a student of R. Tam. These two early commentaries already contain the main content of many of the passages found in *Tosafot Tukeb* on these respective tractates.

Similarly, when we look at Tosafist works that are relatively contemporaneous to *Tosafot Tukeb* we find a striking resemblance to *Tosafot*

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<sup>3</sup> A few fragments of *Tosafot Shanz* on tractate *Bava Batra* are extant. The material in these fragments is also strikingly similar to *Tosafot Tukeb*, and in fact, of the forty-three passages that appear in this manuscript fragment the content of practically every passage is found in *Tosafot Tukeb*. In most of these three tractates, *Tosafot Tukeb* is basically an edited version of *Tosafot Shanz*.

*Tukh*. For example, in many tractates the main content of passage after passage in *Tosafot Ha-Rosh* and *Tosafot R. Perez* are also found in *Tosafot Tukh*. All the above-noted similarities demonstrate that R. Eliezer was generally not recording new teachings.<sup>4</sup>

### ***Tosafot Tukh* of Ri and R. Tam**

When the 15<sup>th</sup>-century printer Gerson Soncino was preparing the first printing of the Talmud, he desired to print *Tosafot Tukh* on the page of the Talmud.<sup>5</sup> Soncino had heard about R. Eliezer's redaction of the Tosafist teachings and he decided to search extensively for *Tosafot Tukh*. Soncino recorded the details of his search for manuscripts of *Tosafot Tukh* in the introduction to his edition of R. Dovid Kimhi's (Radak) *Sefer Mikhlol*.<sup>6</sup> There, Soncino surprisingly refers to *Tosafot Tukh* as the "*Tosafot Tukh* of Ri and R. Tam." It appears that to Soncino, the value of *Tosafot Tukh* was its authentic record of the teachings of R. Tam and Ri.<sup>7</sup>

Indeed, the backbone of *Tosafot Tukh* is the teachings of R. Tam and Ri. These two great Tosafist masters were the focal point of the commentaries of Ri's students and consequently they dominate *Tosafot Tukh*. In many of the larger tractates, R. Tam and Ri appear literally hundreds of times throughout *Tosafot Tukh*.

Nonetheless, the teachings of Ri appear with much greater frequency than those of R. Tam.<sup>8</sup> For example, in tractate *Shabbat*, Ri is quoted

<sup>4</sup> The commonality with *Tosafot R. Perez* is very evident in tractate *Bava Kamma*, although there are clear differences between the two works, such as a well-known discussion in 2b *s.v.* **וּמִלְתָּא**. However, most passages in the respective works contain the exact same content, and some are also similar in their wording. This is also the case with *Tosafot Ha-Rosh* in many tractates. This phenomenon demonstrates that all of these later redactors—R. Eliezer, R. Peretz, Rosh, etc.—were primarily drawing from the same sources.

<sup>5</sup> The Soncino family printed many single volumes of the Talmud with *Tosafot* in Pesaro, Italy, between 1509 and 1520. However, a competing gentile printer in Venice, Daniel Bomberg, "copied" Soncino's print (according to Soncino) and printed the first complete set of the Talmud by the end of 1522. See R. Raphael Nathan Nata Rabbinovicz, *Ma'amar al Hadpasat Ha-Talmud*, ed. A. M. Habermann (Jerusalem, 2006), 9-31.

<sup>6</sup> The text from the title page is quoted verbatim in R. Raphael Nathan Nata Rabbinovicz, *Dikdukei Sofrim* (Munich: Huber, 1884), 48, fn. 16.

<sup>7</sup> Haym Soloveitchik, "The Printed Page of the Talmud—The Commentaries and Their Authors," *Printing the Talmud: From Bomberg to Schottenstein*, ed. S. L. Mintz and G. M. Goldstein (New York, 2005), 41.

<sup>8</sup> In other tractates, like *Ketubot* and *Bava Kamma*, Ri appears over 200 times. There are also tractates where Ri appears with less frequency. This is the case

close to 500 times in the text, more frequently than all the other Tosafists in *Tosafot Tukeb* on tractate *Shabbat* combined. This is also the case in tractate *Yevamot* where R. Tam appears close to 125 times, while Ri appears over 400 times.

Besides the sheer number of times Ri appears in *Tosafot Tukeb*, Ri's central position is also sensed in the presentation of material. While this phenomenon is sometimes less obvious,<sup>9</sup> there are times when it appears in overt forms, such as in tractate *Shabbat* 74a *s.v.* שכן, where *Tosafot Tukeb* reads, "And R. Tam explained this in another way, but it was not pleasing to Ri (ור"ת פירש בע"א ולא נתיישב לר"י)." At times, *Tosafot Tukeb* is extreme in its preference for Ri's teachings over those of R. Tam. As such, there are a handful of locations where *Tosafot Tukeb* records Ri's approach and backhandedly discards that of R. Tam, sometimes not even quoting it at all. This is justified with statements such as (tractate *Bava Batra* 45a *s.v.* אי): "R. Tam has a forced explanation of this passage, but Ri did not agree with it at all (ור"ת דחק לפרש ואין נראה כלל לר"י)." And in another location (tractate *Bava Batra* 46a *s.v.* אי): "R. Tam's approach is very forced and therefore I did not even write it (ופר"ת נראה לר"י מאד רחוק על כן לא כתבתי)." <sup>10</sup>

The dominance of Ri over R. Tam in *Tosafot Tukeb* underscores the extent that *Tosafot Tukeb* was based on the commentaries of Ri's students.<sup>11</sup> If we are correct that R. Eliezer did not utilize the writings of the early Tosafists but rather produced his redaction only utilizing Ri's students' commentaries, it makes sense that Ri, and his specific perspectives on the Talmudic discussion, is the central focus of the redaction. To this end, one notices that Gerson Soncino does not refer to the redaction as the "*Tosafot Tukeb* of R. Tam and Ri," as one would expect;

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in tractates *Hullin* and *Niddah*, where Ri appears fewer than 40 times, which is less frequently than R. Tam.

<sup>9</sup> See for example, Tractate *Shabbat* 45a *s.v.* עד, 49a *s.v.* כאלישע, 53b *s.v.* כאן, and 100b *s.v.* ערשה.

<sup>10</sup> The preference for Ri in these examples was not necessarily an editorial decision by R. Eliezer but was likely already present in his sources. However, there are undoubtedly instances where R. Eliezer did omit R. Tam's view. This is the case, for example, in tractate *Pesahim* 2a *s.v.* יכנס where only the view of Ri is recorded, and the view of R. Tam that is discussed at length in *Tosafot Shanʿaz* is completely omitted.

<sup>11</sup> R. Eliezer may have also given preference to the view of R. Shimshon over that of Ri. For a possible example, see *Tosafot Ketubot* 92b *s.v.* דינא and compare with *Tosafot Shabbat* 78b *s.v.* ות"ק, *Gittin* 2a *s.v.* ואם, *Bava Kamma* 8b *s.v.* דינא, and *Bava Mezi'a* 13b *s.v.* הא.

rather, he mentions the younger Ri first, calling *Tosafot Tukeb* the “*Tosafot Tukeb* of Ri and R. Tam.”

### **The French Tradition**

We have identified the central position the teachings of Ri, R. Tam, and other French masters occupy in the *Tosafot Tukeb*. But it is equally significant to note the teachings that do *not* occupy a central position in the *Tosafot Tukeb*. R. Eliezer lived in German lands, interacted primarily with German scholars, and is rightfully labeled a German Tosafist.<sup>12</sup> Yet, R. Eliezer’s *Tosafot Tukeb* was a faithful redaction and record of the *French* Tosafist tradition specifically. As we have seen above, the backbone of this French tradition was the combined teachings of R. Tam of Ramerupt, France; Ri of Dampierre, France; and their colleagues as they were studied in Ri’s French academy.

To be sure, *Tosafot Tukeb* contains material from the early- and mid-twelfth-century German Tosafists, many of whom were contemporaries of R. Tam, such as Riva (ריב"א), Speyer, Germany, d. 1133), R. Ephraim (Regensburg, Germany, d. 1175), and others; however, this is because these German teachings were already part of the French tradition by the time of Ri and were therefore studied in his academy. In other words, the presence of these early German teachings in *Tosafot Tukeb* is not attributable to R. Eliezer. These teachings, like the early French teachings, were inherited by R. Eliezer via his sources as an integral part of Ri’s French lectures.

As a faithful transmitter of the French tradition, R. Eliezer generally did not add into the *Tosafot Tukeb* material that was not contained in his French sources. *Tosafot Tukeb*, therefore, do not feature teachings of prominent late twelfth- and early thirteenth-century German Tosafists, such as R. Yoel Ha-Levi (Bonn, Germany, d. 1200) or his son, R. Eliezer, Ravyah (Bonn, Germany, d. 1225) who flourished at the same time of R. Shimshon of Shanz, nor does it quote from Ravyah’s contemporary, the prolific R. Simchah of Speyer, Germany (d. 1225). These German Talmudists were extremely influential in German Tosafist circles at the time of Ri and his students, and their teachings appear with regular frequency in German works from R. Eliezer’s time. Yet, their

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<sup>12</sup> See A. Leibowitz, “R. Eliezer of Tukeb: A German Tosafist,” *Yerushateinu* 7 (2013): 5-18.

teachings were not featured in the commentaries of Ri's students,<sup>13</sup> and therefore they do not appear in *Tosafot Tukeh*.<sup>14</sup>

R. Eliezer also did not generally include material from his immediate intellectual milieu in his *Tosafot*. Hence, we do not find in *Tosafot Tukeh* R. Eliezer's own original contributions, nor material from his own German teachers and contemporaries, as we will see shortly. As a pure record of the French tradition, the authentic and original text of *Tosafot Tukeh* predominantly, and probably only, contained material from the commentaries of Ri's students.

### Anonymous Passages in *Tosafot Tukeh*

Many teachings in *Tosafot Tukeh* are explicitly attributed to R. Tam, Ri, or the other early masters. "R. Tam said (אומר ר"ת)," "Ri asked (יקשה)," "R. Shimshon b. Avraham explained (ופירש רשב"א)," "R. Yaakov

<sup>13</sup> The fact that Ri's students did not draw from the *Tosafot* of their German contemporaries is partially attributable to the lack of communication between the respective Tosafist cultures of France and Germany during the time period of Ri's students; see Ya'akov Sussman, "Mifalo Ha-Madda'ei Shel Profesor Efrayim Elimelekh Urbach," *Musaf Madda'ei Ha-Yahadut* 1 (1993): 39, n. 63, and E. Kanarfogel, "Religious Leadership During the Tosafist Period: Between the Academy and the Religious Court," *Jewish Religious Leadership: Image and Reality*, ed. J. Wertheimer (New York, 2004), Rabbinic Leadership," 303. Another contributing factor is the tendency of twelfth-century Germany Talmudists to author commentaries that focused more on codification and *pesak* than on Talmudic dialectics. For this reason alone, they had little place in the dialectical commentaries of Ri's academy.

<sup>14</sup> R. Yoel is quoted twice in the printed *Tosafot* attributed to R. Eliezer; once in tractate *Yevamot* 118a and once in *Kiddushin* 78b *s.v.* כשהוא. However, the quotation in tractate *Yevamot* appears in the Parma 2243 manuscript of *Tosafot Tukeh* on tractate *Yevamot* as "R. Yehudah," not "R. Yoel." The quotation in tractate *Kiddushin* is also quoted in the name of R. Yoel in *Tosafot Ha-Rosh*, raising the possibility that this material was already part of the Tosafist corpus before R. Eliezer.

Ravyah, by the name of his work *Avi Ezri*, is quoted once in the printed *Tosafot* in tractate *Pesahim* 100b *s.v.* ידי קידוש. However, this line quoting the Ravyah is absent from the Parma 325 manuscript of *Tosafot Tukeh* on *Pesahim*. This omission from the manuscript suggests that this line is not part of the authentic text of *Tosafot Tukeh*. In all likelihood, it was a marginal note that was later erroneously included in the main text of the printed *Tosafot*, a common phenomenon that we will discuss shortly.

R. Simchah is quoted once, tractate *Shabbat* 19a *s.v.* בותנין. However, even in the printed versions of *Tosafot* it is obvious that this is a marginal note and not part of the authentic text of *Tosafot Tukeh*.

of Orleans questioned (והקשה ר' יעקב דאורליני"ש) are common refrains in *Tosafot Tukeh*. There are even times that the early Tosafist's own language is preserved, indicated by a signature at the end of the passage. Some of these signatures still exist in the printed version of *Tosafot*,<sup>15</sup> but many were omitted when the manuscripts went to the printing press.<sup>16</sup>

Nonetheless, much of the material in *Tosafot Tukeh* appears anonymously, without any explicit attribution to its source. However, this does not mean that R. Eliezer authored these passages or originated their content. The material in these anonymous passages was also inherited by R. Eliezer and comes from the teachings of R. Tam and his colleagues, or Ri and his students. This is immediately verifiable by comparing *Tosafot Tukeh* with earlier works. Indeed, most of the anonymous passages in *Tosafot Tukeh* on tractate *Ketubot* and *Pesahim* also appear anonymously in *Tosafot Shanꝓ* on the two respective tractates.

Corroborating evidence that many of the anonymous passages in *Tosafot Tukeh* were part of the Tosafist corpus years before R. Eliezer began preparing his redaction is found in a relatively early Tosafist work on tractate *Bava Kamma* composed by an unknown student of R. Tam. Many anonymous passages appearing in *Tosafot Tukeh* on *Bava Kamma* also appear anonymously in this commentary. Although this specific commentary was not necessarily a source for *Tosafot Tukeh*, the considerable amount of overlap between it and *Tosafot Tukeh* further bolsters the contention that much of the material in *Tosafot Tukeh*—including anonymous passages—was already part of the Tosafist corpus for generations before R. Eliezer.<sup>17</sup>

<sup>15</sup> The method of attaching a signature at the end of a passage as a form of attribution was popular with the students of Ri. Many of their passages are signed with a מ"ר, which stands for מפי רבי (From my teacher). A few signatures still exist in printed editions of *Tosafot*. Signatures of R. Tam: *Bava Batra* 92b s.v. אי, *Ketubot* 66a s.v. והא, and 69a s.v. ובשמתא. Signatures of Ri: *Shabbat* 76a s.v. הביגוד, 82a s.v. אסור, *Yevamot* 51b s.v. ביאה, and *Gittin* 10b s.v. חספא. Joint signatures: tractate *Bava Batra* 55a s.v. אם and 73b s.v. הכי.

<sup>16</sup> For example, tractate *Bava Batra* 23a s.v. כקטורא appears anonymously in the printed text of *Tosafot*, yet in a manuscript, Cremona–Archivio di Stato 71, the passage appears with a signature of R. Tam.

<sup>17</sup> This commentary was printed as “Tosafot Talmid Rabbenu Tam Ve-Rabbenu Eliezer,” ed. M. Blau, *Sbitat Ha-Kadmonim al Massekhet Bava Kamma* (New York, 1977), 1-282. It also demonstrates that anonymous passages in R. Eliezer's redaction are ascribable to other early Tosafists besides R. Tam and Ri. For instance, *Tosafot Tukeh Bava Batra* 92b s.v. וליחזי is an anonymous passage, but in this commentary (*Bava Kamma* 27a) it is ascribed to Rivam.

Other Tosafist works can sometimes aid in identifying the actual originator of anonymous passages in *Tosafot Tukh*. For example, in tractate *Bava Batra* 10b *s.v.* אלא *Tosafot Tukh* anonymously comments on the Talmud's mention of the integrity of R. Haninah b. Teradyon. However, an early Tosafist commentary on tractate *Shabbat* records this material in the name of R. Tam.<sup>18</sup> Similarly, several anonymously recorded passages in *Tosafot Tukh* on tractate *Shabbat* can be identified based on a recently published Tosafist commentary written by a student of Ri.<sup>19</sup> Whether anonymous passages are the teachings of R. Tam, Ri, or some other early Tosafist, the crucial point is that they are not the original contributions of R. Eliezer or his teachers and German contemporaries.

### R. Eliezer's Original Contributions

The contention that R. Eliezer did not generally include his own original contributions in his redaction of *Tosafot* is seemingly contradicted by the printed editions of *Tosafot Tukh*, which contain multiple instances where apparent original contributions are part of the text. These instances contain personal references, such as “It appears to me (נראה לי),” “I found (מצאתי),” “I question this (קשה לי),” “I heard (שמעתי),” connoting R. Eliezer's own original contributions to the *Tosafot* discussion.

However, research reveals that these personal references were seemingly not part of the authentic text of the *Tosafot Tukh*. They appear in printed editions due to various phenomena, as we will now see.

**Sections not redacted by R. Eliezer.** In some cases, the personal references appearing in the printed *Tosafot* are in sections of the tractate that were simply not redacted by R. Eliezer. For example, only the first

<sup>18</sup> This commentary exists in one known manuscript; see A. Leibowitz, “Tosafot Ashkenaziot Atikot Le-Helek Mi-Massekhet Shabbat,” *Yerushateinu* 4 (2010): 15-38. More examples: *Piskei Ha-Rosh, Bava Kamma* 2:6 identifies Ri as the originator of *Tosafot Bava Kamma* 20a *s.v.* זה, *Tosafot Yesbanim* on *Bava Batra* 2b *s.v.* נתייאש, *s.v.* הוה אמינא, and 5b *s.v.* ואפילו all identify the originator of the teachings in the corresponding anonymous passage in *Tosafot Tukh*. *Tosafot Yesbanim* and *Piskei Ha-Rosh, Bava Batra*, 1:18 do the same for some of the material in *Bava Batra* 23a *s.v.* אין.

<sup>19</sup> The manuscript is Moscow–Russian State Library, Ms. Guenzburg 636, and it was printed as *Tosafot Ri Ha-Zaken Ve-Talmido Ve-Rishonei Ba'alei Ha-Tosafot al Massekhet Shabbat*, ed. A. Shoshana (Jerusalem, 2007). Examples of such identifications include 14b *s.v.* דכתיב, 18b *s.v.* דמפקיר, and 25b *s.v.* חובה. Note also 17b *s.v.* אין where Ri is identified as the source for testimony regarding a personal practice of R. Tam (see also *Tosafot R. Elhanan* on tractate *Avodab Zarab* at the end of the first chapter).



nine chapters of the printed *Tosafot* in tractate *Ketubot* were redacted by R. Eliezer. Beginning with the tenth chapter the printed *Tosafot* text is *Tosafot ShanꝈ*.<sup>20</sup> Of the twenty-four personal references that appear in the printed *Tosafot*, twenty-two of them appear in or after the tenth chapter of the tractate. Hence, they are R. Shimshon's original teachings, not R. Eliezer's.<sup>21</sup>

The same phenomenon occurs in tractates *Shabbat* and *Bava Batra*. In *Shabbat*, only the first sixteen chapters are *Tosafot Tukh*. Significantly, seven of the ten personal references that appear in the printed text appear after chapter sixteen.<sup>22</sup> In *Bava Batra* only the first eight and a half chapters are *Tosafot Tukh*.<sup>23</sup> Many of the personal references that appear in the printed *Tosafot* text on *Bava Batra*, such as six appearances of "נראה" "לי", two of "קשה לי", two of "מצאתי", and one reference to "שמעתי" appear in the last quarter of the tractate and are not attributable to R. Eliezer.

**Scribal errors.** In other cases, personal references in the printed *Tosafot* are scribal errors that do not exist in authentic manuscript editions of *Tosafot Tukh*. For instance, in a number of locations the printed *Tosafot* read, "נראה לי", while manuscript editions read, "נראה לפרש". An example of this occurs in tractate *Hullin* 73a *s.v.* בשעת, where the printed *Tosafot* states "ועוד נראה לי", whereas a manuscript edition—Parma, Biblioteca Palatina Cod. Parm. 325—reads "ועוד נראה לפרש". The phrase "נראה לפרש" is a common *Tosafot* term appearing over thirty-five times in tractate *Hullin* alone and is a standard form of introducing a resolution.<sup>24</sup>

<sup>20</sup> This is attested to by a marginal note in printed editions that reads on 90a *s.v.* מי שהיה, "From here to the end is copied from the *Tosafot* of R. Shimshon." The printed edition of *Tosafot ShanꝈ* on *Ketubot* corroborates this, as we find that the passages in the printed *Tosafot* text are identical to the printed *Tosafot ShanꝈ* after 90a.

<sup>21</sup> The two remaining personal references are 47a *s.v.* השתא and 88a *s.v.* ועוד. However, the passage on 88a appears verbatim in *Tosafot ShanꝈ*, including the personal reference ("מיהו קשה לי") and a later reference to "our teacher." This suggests that this passage from *Tosafot ShanꝈ* was included by R. Eliezer in *Tosafot Tukh* without any editing. The passage on 47a also quotes from "my teacher" and contains indications that it was not written by R. Eliezer. See Urbach, *Ba'alei Ha-Tosafot*, 628.

<sup>22</sup> The personal reference in 22b *s.v.* מאי is not a content contribution.

<sup>23</sup> In the middle of the ninth chapter, corresponding to 144a in the printed text, a marginal note reads "until here is the commentary of R. Eliezer (ע"כ משיטת ר"א)."

<sup>24</sup> The same error occurs twice in tractate *Erwin*. In 33a *s.v.* והא and in 34b *s.v.* והאורבין the printed *Tosafot* reads "ונראה לי" yet in Parma 325 the manuscript

Although the words "לי" and "לפרש" are not easily interchanged, this error is likely attributable to the common use of shorthand in handwritten manuscripts. Ostensibly, the earliest manuscripts of R. Eliezer's *Tosafot* utilized the shorthand "נ"ל" to represent "נראה לפרש" and later scribes, or the printers, erroneously expanded the shorthand to read "נראה לי" in place of "נראה לפרש".<sup>25</sup>

Another scribal error that accounts for personal references in the printed *Tosafot* is "ונראה לי" in place of "ונראה לו". *Tosafot Tukeb* on tractate *Gittin*, 35b *s.v.* ותני, records a question posed by Ri and an apparent answer by R. Eliezer that is introduced with "ונראה לי". In a manuscript edition—Arras, Bibliothèque Municipale 889—the text clearly reads "ונראה לו" and not "ונראה לי". Accordingly, Ri's question was not answered by R. Eliezer, but by Ri himself.<sup>26</sup>

Scribal errors can also occur due to the common use of shorthand. For example, in tractate *Bava Batra* 29b *s.v.* בשכונני *Tosafot Tukeb* reads "ונראה לי". But, in two manuscript editions—Parma 325 and British Museum Add. 17053—only "ונר" appears and the word "לי" is absent. It may be that the shorthand "ונר" was erroneously expanded to "ונראה לי", while it truly was only shorthand for "ונראה לו".

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reads "נראה לפרש". Note that we are assuming that the printed *Tosafot* on tractate *Erwin* are also *Tosafot Tukeb* and not from an unknown student of Rizba, as Urbach maintains in *Ba'alei Ha-Tosafot*, 606. Our arguments for this will be forthcoming in a future article.

<sup>25</sup> Erroneous expansion of the shorthand "נ"ל" might also account for a number of other instances where the printed *Tosafot* reads "נראה לי". For instance, in tractate *Hullin* 46b *s.v.* אבל the printed text states "נראה לי", yet in the Parma 325 manuscript the text reads only "נ"ל". This occurs four more times in tractate *Hullin*. In 59a *s.v.* ניבי, 62a *s.v.* והוא, 64b *s.v.* גיעולי, and 93a *s.v.* אמר the printed *Tosafot* reads "נראה לי", whereas the Parma text merely contains "נ"ל". In light of the above occurrences, it is possible that the intent of "נ"ל" in all of these later examples was "נראה לפרש" and not "נראה לי". In a seemingly similar occurrence, *Tosafot* on *Bava Batra* 5a *s.v.* ובא begins with the words "ונראה לי". Yet in British Museum Add. 17053, the passage begins with "צ"ל" and not "ונראה לי". The acronym "צ"ל" is also very common in Tosafist texts and stands for "It must read (צריך לומר) or צריך לפרש."

<sup>26</sup> This error appears in at least three other tractates. In tractate *Bava Batra* 59b *s.v.* מאי the printed text says "ונראה לי" but in Parma 325 the text reads "ונראה לו". In tractate *Shevu'ot* 49b *s.v.* והיבין the printed text reads "ונראה לי" but in Oxford–Bodleian Library MS Mich. 93 the text reads "נראה לו" and not "נראה לי". In tractate *Hullin* 28b *s.v.* לפי the printed text's "ונראה לי" also appears in Parma 325 as "ונראה לו".

Scribal errors are not limited to erroneous expansions of acronyms and shorthand notations. In several cases in the printed editions of *Tosafot Tukeh* there are personal references that are simply absent from manuscript editions. For example, in tractate *Bava Batra* 5a *s.v.* אע"פ, the words "כן נראה לי" appear in the printed text, and seemingly reflect approval by R. Eliezer to the previously recorded statement in *Tosafot*. However, when we consult the two complete manuscripts of R. Eliezer's *Tosafot* on tractate *Bava Batra* that exist, Parma 325 and British Museum 17053, we find that the words "כן נראה לי" are absent from the text, indicating that these words were not part of the original passage.

Other Tosafist works can also be utilized to show that supposed personal references might simply be scribal errors. In tractate *Bava Batra* 13b *s.v.* ומסיים, the printed *Tosafot* text contains an apparent personal reference by R. Eliezer, "ונראה לי", after recording an explanation ascribed to Rizba. From the printed *Tosafot* text it appears that after recording Rizba's ruling, R. Eliezer included his own rationale for the ruling. However, in *Tosafot Yesbanim* on tractate *Bava Batra*, authored by a student of Rizba, both the explanation of Rizba and the rationale appear in the name of Rizba. Indeed, the proper text of R. Eliezer's *Tosafot* may have simply read "ונראה", which keeps Rizba as the speaker and omits R. Eliezer from the discussion. Parma 325 corroborates this conjecture and contains only "ונראה" and omits the word "לי". Alternatively, the authentic text might have read "נראה לו", which also retains Rizba as the originator of the rationale. This suggestion is corroborated by the first complete printed edition of the Talmud where the passage contains the words "ונראה לו".<sup>27</sup>

**Erroneous inclusions of R. Eliezer's *Gilyonot*.** In addition to his redaction of the French *Tosafot* tradition, R. Eliezer also authored his own notes, which he appended to the margins of his redaction. These notes are distinct from the main text of the redaction and are known as the "*Gilyonot*," or "*Gilyonei Tosafot*." Many of the personal references that appear in printed editions of *Tosafot* are from R. Eliezer's *Gilyonot*. Research shows that the *Gilyonot* were often erroneously copied into the main text without any indication that the material was from the *Gilyonot*. Over time, these *Gilyonot* became a permanent part of the text, merging with the main text of *Tosafot Tukeh*.

<sup>27</sup> The first complete printed edition of the Talmud was issued in Venice from 1520 to 1523 by Daniel Bomberg, a gentile printer. He followed with three additional printings, although none of them was complete. See Rabbinovicz, *Ma'amar al Hadpasat Ha-Talmud*, 35-55.

In a number of cases where personal references appear in the printed text, manuscript editions of R. Eliezer's *Tosafot* show that the statement under discussion was not part of the main text of R. Eliezer's *Tosafot*, but originally appeared on the margin as one of the *Gilyonot*. An example that demonstrates this phenomenon is in the printed *Tosafot* in *Hullin* 11b *s.v.* וכי. In the middle of the passage the printed *Tosafot* reads, "ועוד נראה לי...". However, in Parma 325 the entire passage is absent from the main text of R. Eliezer's *Tosafot*, but appears in the top margin of the manuscript followed with a signature of "גי", which is the standard signature used to indicate that the material is from the *Gilyonot*.<sup>28</sup>

### R. Eliezer's German Teachers and Contemporaries

Our contention that R. Eliezer did not include in his redaction of *Tosafot* any material from his own German teachers and contemporaries is also seemingly contradicted by the printed editions of *Tosafot Tukeh*, which contain multiple instances of such material in the text. However, the above-described phenomenon of R. Eliezer's *Gilyonot* being included erroneously in the main text of *Tosafot Tukeh*, accounts for a number of such instances.

**R. Yehudah Ha-Kohen.** In tractate *Hullin* 31b *s.v.* וכי תימא, the printed *Tosafot* quote "רי"ך",<sup>29</sup> which likely refers to R. Yehudah Ha-Kohen of Friedberg, a German contemporary of R. Eliezer.<sup>30</sup> However,

<sup>28</sup> See also tractates *Hullin* 11a *s.v.* ודילמא and *Erwin* 43b *s.v.* האי where the entire passage containing the words "ונראה לי" appears in Parma 325 as one of the *Gilyonot*. Note also tractate *Bava Batra* 31b *s.v.* וזה where an opinion is prefaced with the words "ונראה לי", yet the same opinion is ascribed to R. Eliezer's *Gilyonot* in *Shitah Mekubezet* on *Ketubot* 18b *s.v.* וכתבו בתוספות. See also tractate *Shabbat* 146a *s.v.* שובר, where the passage is signed with "מ"ר" followed by one line that begins, "I found in the Jerusalem Talmud..." *Mordekhai, Shabbat*, #464, ascribes the final line to "the commentary of R. Eliezer." It appears that this final line, containing the personal reference by R. Eliezer, was from the *Gilyonot*, yet erroneously included in the main text of printed editions.

<sup>29</sup> *Hagabot Ha-Bab* changes the text to "רי"ה". However, the Vatican-Biblioteca Apostolica ebr. 159 manuscript reads explicitly: "רי"י הכהן".

<sup>30</sup> I. Ta-Shma and M. Blau suggest that the acronym "רי"ך" refers to R. Yehudah of Friedberg. R. Yehudah appears in the *Gilyonot* on tractates *Bava Kamma* and *Erwin* (see Urbach, *Ba'alei Ha-Tosafot*, 607). The other possible identification for "רי"ך" is R. Yaakov Ha-Kohen—likely R. Yaakov Ha-Kohen Svava of Krakow, the first known scholar from Poland in the period of the Tosafists. R. Yaakov is quoted in the *Gilyonot* on tractate *Hullin*; see E. Kupfer, "Al 'Ehad

in the British Library Add. 27295 manuscript this quotation of "רי"ך" appears as one of the *Gilyonot* and not in the main text of the redaction.<sup>31</sup> R. Yehuda Ha-Kohen is also quoted by name in the printed *Tosafot*, tractate *Yevamot* 6b *s.v.* או אינו. However, in the Parma 2243 manuscript of *Tosafot Tukh* on tractate *Yevamot* the entire passage is absent from the main text of *Tosafot*.

**R. Aaron of Regensburg.** The printed *Tosafot*, *Hullin* 23a *s.v.* כי, contains an extended discussion that includes a solution recorded in the name of R. Eliezer's German teacher, R. Aaron of Regensburg. According to the British Library Add. 27295 manuscript, the majority of this passage—including the reference to R. Aaron—is one of the *Gilyonot*.

**R. Yitzhak of Vienna.** The printed *Tosafot*, *Hullin* 47b *s.v.* אפילו quotes R. Eliezer's teacher, the prolific Austro-German Tosafist R. Yitzhak of Vienna (Or Zarua).<sup>32</sup> In the Parma 325 manuscript this passage is preceded and followed with notation indicating that the passage is from the *Gilyonot*.<sup>33</sup>

**R. Meir of Rothenburg.** R. Meir, a German contemporary of R. Eliezer, is quoted a number of times in the printed editions of *Tosafot Tukh* as "מהר"ם". In most instances, the printed editions contain clear notation that the material was not part of the original text. See for example, *Shabbat* 17b *s.v.* כיון and *Ketubot* 15b *s.v.* לא. Even in cases when such notation is absent, such as in *Bava Batra* 41a *s.v.* שלא, manuscripts demonstrate, in this case Parma 325, that the passage is from the *Gilyonot*.

**R. Hezekiah of Magdeburg.** R. Eliezer's German uncle, R. Hezekiah (Mahariḥ), appears six times in the main text of the printed *Tosafot*—*Ketubot* 39b *s.v.* אי הכי, *Bava Mezi'a* 116a *s.v.* והא, *Bava Batra* 44b *s.v.* דלא, *Bava Batra* 52b *s.v.* דברים, *Shevu'ot* 46b *s.v.* וספרא, and *Hullin* 47b *s.v.* אבל—where he is often referred to as “My teacher, my uncle.” In the two locations in tractate *Bava Batra*, the section of the printed passage that contains the view of R. Hezekiah is absent from the Parma 325

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Mi-Gedolei Ha-Dor' Be-Mahazit Ha-Rishonah shel Ha-Meah Ha-13 Be-Polin Ube-Ashkenaz,” *Kiryat Sefer* 59 (1984): 959.

<sup>31</sup> The British Library Add. 27295 manuscript contains another *Gilyon* (30a *s.v.* והתנן) that quotes "ר"י הכהן".

<sup>32</sup> In the printed text it simply reads "ה"ר יצחק", but in the British Library Add. 27295 manuscript the text reads "מורי ה"ר יצחק".

<sup>33</sup> In the manuscript the entire passage, as well as the next passage *s.v.* דשיעה, are preceded with "הגה"ה" and followed with "ע"כ".

manuscript version of the passage.<sup>34</sup> This suggests that R. Eliezer did not generally include the original teachings of R. Hezekiah in the main text of *Tosafot Tukeb*.<sup>35</sup>

Limited extant manuscript editions of *Tosafot Tukeb* prevent us from accounting for every single instance of personal references or teachings from R. Eliezer's teachers or contemporaries that appear in printed editions. However, the many examples that we have documented amount to a strong argument that the personal references and the teachings of R. Eliezer's German teachers and contemporaries that appear in the printed editions are not authentic.<sup>36</sup>

<sup>34</sup> R. Hezekiah generally appears in *Tosafot Tukeb* as "מורי הרב דודי", except for *Bava Batra* 44b *s.v.* דלא. There he appears as "מהר"ר הזקיהו". The introductory title of "מהר"ר" is a peculiar acronym. The more commonly used title is "מה"ר", which stands for "מורי הרב רבינו", and is similar to the title "ה"ר", meaning "הרב רבינו", which appears over 400 times in the printed *Tosafot*. It could be that the second *resh* is actually a scribal error and should be a *dalet*, for these two letters are often mistaken for one another. Hence, the proper reading should be "מהר"ד" which could then stand for "מורי הרב רבינו דודי". Indeed, in the Bomberg printing of the Talmud the text reads, "מהר"ד", with a *dalet*.

<sup>35</sup> Other observations also support this contention. Firstly, in three of the instances that R. Hezekiah appears in the printed text, tractates *Bava Batra* 52b *s.v.* דברים, *Bava Mez'ia* 116a *s.v.* וזה, *Shevu'ot* 46b *s.v.* וספרא, the text reports the same legal opinion of R. Hezekiah. In all three locations, R. Hezekiah's opinion appears to be appended as an afterthought to the discussion and certainly is not the focal point of the passage.

<sup>36</sup> E. Urbach (*Ba'alei Ha-Tosafot*, 646-648) assumed that R. Eliezer included in his redaction of *Tosafot* the insights of his German teachers and contemporaries. More recently, Shalem Yahalom (*Sbenaton Ha-Mishpat Ha-Ivri* 28, 111-169) has similarly argued that R. Eliezer included German insights into his redaction. Yahalom attempts to show instances of material in the *Tosafot Tukeb* that he believes are the original insights of R. Meir of Rothenburg (Maharam) or R. Hezekiah of Magdeburg (Mahariḥ).

In response, we first note that none of Yahalom's examples contain explicit attribution by R. Eliezer to either Maharam or Mahariḥ. Is R. Eliezer quoting them, or did he perhaps draw the material from the same earlier source that they drew from? Indeed, R. Eliezer regularly quotes his sources by name when they make original contributions; he even quotes Maharam specifically by name dozens of times in his *Gilyonot*. Since we are talking about a mere handful of passages in the entire tractate *Pesahim*, Yahalom's assertions remain pure conjecture. It is hard to draw anything conclusive from a handful of anonymous passages in *Tosafot Tukeb*.

## A Unique German Record of the French Tradition

We have seen that *Tosafot Tukeh* was a faithful redaction of the French Tosafist tradition as it was transmitted by Ri's students. Material from R.

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In terms of the specific examples brought by Yahalom, a careful analysis demonstrated that a number of them are highly questionable. Regarding Maharam, Yahalom points to a few teachings that appears in *Tosafot Tukeh* and are attributed to Maharam in *Tosafot Ha-Rosh*. In Yahalom's first example, titled "האכלת בעלי חיים בחמץ", the Maharam's answer in *Tosafot Ha-Rosh* is not exactly the same answer quoted anonymously in *Tosafot Tukeh*, something already noted by the editors of the *Machon Ofek* edition of *Tosafot Ha-Rosh on Pesachim*. In another of Yahalom's examples (p. 119, fn. 33), "Rabbenu Meir" in *Tosafot Ha-Rosh* does not appear to be the Maharam at all, but rather R. Meir the father of R. Tam. Of the two or three examples of material in the *Tosafot Tukeh* that might be quoting Maharam, it seems equally likely that these are *Gilyonot* that were mistakenly printed as part of the main text of *Tosafot Tukeh*.

Yahalom's arguments based on the teachings of Mahariḥ are even less conclusive. Practically every example brought by Yahalom is not a case of an original teaching of Mahariḥ. For instance, in his first example, titled "הכשרת כבוד", basically all the material in the *Tosafot Tukeh* is from R. Tam and Ri; it is not an original teaching of Mahariḥ. In fact, the material in *Tosafot Tukeh* even appears in other Tosafist sources. Hence, this example does not support Yahalom's contention that *Tosafot Tukeh* contains *original* insights from Mahariḥ. The same weakness exists in his example titled "מדורת גוים". In another example, "מעשה אילפס", there are many textual variations of the passage in question, and according to some of the manuscripts *Tosafot Tukeh* and *Tosafot Mahariḥ* attribute the same teaching to different people. This would suggest that R. Eliezer did *not* draw the material from *Tosafot Mahariḥ*.

Yahalom's research does, however, highlight the possible role that R. Eliezer's German teachers and contemporaries played in his study of the French Tosafist tradition. Mahariḥ was well versed in the French teachings, and remnants of his own *Tosafot* show that he too was primarily focused on the teachings of the French masters. Similarly, Mahariḥ's halakhic rulings (*pesakim*) are largely based upon the Ri's teachings and rulings. Hence, R. Eliezer very possibly inherited French content from Mahariḥ, and he may have even utilized some of Mahariḥ's verbal formulations when he recorded the French teachings in *Tosafot Tukeh*. However, even if Mahariḥ was a channel for receiving the French teachings, his own original teachings do not seem to appear in *Tosafot Tukeh*.

Lastly, it is important to note that even if R. Eliezer did include in *Tosafot Tukeh* a handful of insights from his teachers or German contemporaries, the main thrust of our thesis remains the same. The overwhelming majority of material is directly from the French Tosafist tradition of Ri and his students. *Tosafot Tukeh* still remains, as we have argued, a faithful German record of the French tradition. The presence of a few original teachings from Maharam or Mahariḥ, if they indeed exist, does not alter the primary nature of *Tosafot Tukeh*.

Eliezer's own German culture of the mid to late thirteenth century does not appear in the redaction, and readers of *Tosafot Tukeb* generally encounter only the French Tosafist tradition as it was studied in the Ri's academy.<sup>37</sup>

However, considering R. Eliezer's German provenance, it can be argued that *Tosafot Tukeb* was not only a redaction of the French tradition. It was also a record of how the French Tosafist tradition was transmitted in Germany in the mid to late thirteenth century. Accordingly, *Tosafot Tukeb* was a German redaction and record of the French tradition. "German," in the geographic sense, as R. Eliezer hailed from eastern Germany, yet "of the French tradition," for the content of the redaction was the pure French Tosafist tradition.<sup>38</sup>

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<sup>37</sup> The absolute dominance of the French tradition in *Tosafot Tukeb* likely contributed to early scholarship's assumption that R. Eliezer was a French Tosafist. For example, E. Urbach wrote (*Ba'alei Ha-Tosafot*, 584, fn. 63), "R. Eliezer's relationship to France is verified by everything we know about him. This likely also contributed to Soncino's assumption that *Tosafot Tukeb* was written in France, as he writes, "I traveled to France, Chambéry and Geneva, *the places of its origin...*"

<sup>38</sup> In Shalem Yahalom's earlier-quoted study, he suggests that *Tosafot Tukeb* was not merely a record of the French tradition by a German Tosafist, but a complete German-style rewrite of the French tradition. To support his thesis, Yahalom argues that *Tosafot Tukeb* has a distinct German style to it, including a perceptible influence of the German Pietists. Additionally, he argues that R. Eliezer's abridging and condensing of the Tosafist corpus reflects a distinct German approach to Talmud study, one that de-stresses the French dialectical methods.

These assertions are quite perplexing. Firstly, *Tosafot Tukeb* is the printed *Tosafot* on almost every major tractate of the Talmud. It is the paradigm of the dialectical French *Tosafot* genre. As such, how can it be a unique German-style *Tosafot*? Moreover, there is no overt stress on *pesak* in *Tosafot Tukeb*, and R. Eliezer's tendency to abridge or condense the Tosafist teachings does not in any way detract from the dialectical nature of the text. Lastly, there are well-known examples of Tosafist commentaries that have been identified as emerging from academies that were influenced by the German Pietists, such as the *Tosafot* of Evreux (see fn. 40 of this article). Scholars generally demonstrate the uniqueness of these Pietist-influenced works by contrasting them with the (non-Pietist influenced) *Tosafot Tukeb*.

Yahalom ends his article expressing surprise that R. Yosef Colon (Maharik) missed the clear German influences and style of the *Tosafot Tukeb*. We have hopefully shown that Maharik was not incorrect at all in his assessment of *Tosafot Tukeb*.



### Competing Versions of the French Tradition

Ri's Talmud lectures changed the face of Talmud scholarship in northern Europe. His academy was immensely popular, and his lectures were carefully transcribed by many students. These lecture notes were subsequently augmented with original teachings by Ri's most prolific students during the late twelfth and early thirteenth century, and the resulting works reflected the best teachings of the Dampierre academy.

Yet the French Tosafist tradition, as it was recorded in these commentaries, was not monolithic. Some of the passages in these commentaries contained Ri's own verbal formulations, while others contained paraphrases of Ri's teachings, and reflected the understanding of the student recorder. As the French tradition was transmitted by Ri's students to the succeeding generations of Tosafists, the teachings of Ri's academy were reported with slight nuances and consequently understood in different ways. Moreover, early students of Ri taught their students certain formulations of Ri, whereas later students bequeathed alternative formulations from Ri's later years. Eventually, the nuances in formulation and the natural effects of transmission resulted in varied accounts of the French tradition. Inevitably, multiple versions of the French Tosafist tradition emerged, and by the later part of the thirteenth century, distinct accounts of the Tosafist tradition were circulating in France and Germany.<sup>39</sup>

Many of these versions of the French Tosafist tradition were redacted in French academies. This is the case with the *Tosafot* redaction produced in the French city of Evreux. *Tosafot Evreux* was produced in the first half of the thirteenth century in the academy of two brothers, R. Moshe and R. Shmuel of Evreux, France. They were students of another set of prolific Tosafist brothers, R. Shimshon b. Avraham of Shanz (Rash Mi-Shantz or Rashba) and R. Yitzhak b. Avraham of Dampierre (Rizba). The *Tosafot* redaction of the Evreux academy is known for its

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<sup>39</sup> The emergence of distinct accounts of the French Tosafist tradition is confirmed by the presence of many discrepancies between extant redactions of the French tradition. Some of these discrepancies are extreme, such as cases where an individual Tosafist's opinion is quoted differently in the various redactions. For example, compare *Tosafot Shabbat* 23b *s.v.* דבי and 38b *s.v.* פיין to the corresponding passages in *Tosafot Ri Ha-Zaken Ve-Talmido*. There are also cases where conflicting reports exist regarding what a particular scholar ruled. Compare, for example, *Tosafot Gittin* 78b *s.v.* הא and *Bava Mezi'a* 7a *s.v.* הא with the corresponding passage in *Tosafot Ha-Rosh*, *Gittin*, and *Sefer Mizvot Gadol*, Positive Commandment #50.

extensive quotations of Rashi and its more-limited use of Tosafist dialectics.<sup>40</sup>

Another prominent *Tosafot* redaction edited by French Tosafists is the *Tosafot* of R. Perez of Corbeil, France. *Tosafot* R. Perez was produced in the second half of the thirteenth century in the academy of R. Perez. Although *Tosafot* R. Perez was mainly redacted by the students of R. Perez, the commentary was immensely popular in some regions, and even became the primary *Tosafot* text for some later academies.<sup>41</sup>

*Tosafot Evreux* and *Tosafot* R. Perez are French redactions of the Tosafist tradition, yet it is not uncommon to find differences between the texts, as the two texts reflect distinct versions of the Tosafist tradition that emerged in the generations following Ri's students. So too, when *Tosafot Tukh* is compared with the French redactions of the Evreux and Corbeil academies differences emerge.<sup>42</sup> While many of the differences

<sup>40</sup> These characteristics are but some of the evidence that the Evreux academy was not a typical Tosafist academy, as argued by I. Ta-Shma and E. Kanarfogel. They suggest that the Evreux academy was influenced by German Pietistic teachings, and that this influence affected the academy's curriculum and compositions. See I. Ta-Shma, "Ḥasidut Ashkenaz Bi-Sefarad: Rabbenu Yonah Gerondi—Ha-Ish U-Fo'alo," *Galut Aḥar Golah*, ed. A. Mirsky, et al. (Jerusalem, 1988), 165-73, 181-88, and E. Kanarfogel, "Peering through the Lattices," *Mystical, Magical, and Pietistic Dimensions in the Tosafist Period* (Detroit, 2000), 26-27 and 62-68.

<sup>41</sup> *Zedah La-Derekh*, Introduction.

<sup>42</sup> Examples of discrepancies between *Tosafot Tukh* and *Tosafot Evreux* are best identified in tractate *Kiddushin*, as the printed *Tosafot* is *Tosafot Evreux* and R. Eliezer's redaction has been printed, based on four manuscripts, as *Tosafot Tukh Kiddushin*, ed. A. Z. Scheinfeld (Jerusalem, 1982). Sometimes the two redactions are completely at odds with one another; see 2a *s.v.* וְהִיבְמָה and 8a *s.v.* רַב כְּהֵנָּה. At other times, important early Tosafist teachings recorded in one redaction is absent from the other, such as 43b *s.v.* וְהִשְׁתָּא; see also 2a *s.v.* וּמֵאֵי and 4b *s.v.* מְעִיקְרָא. We also find crucial additions in one redaction, but not in the other; see 2b *s.v.* דְּאִמְרֵי and 14b *s.v.* הוֹאִיל. Lastly, even when the same points are recorded in both redactions, on occasion the attribution differs; see 5a *s.v.* אֵלָּא. There are also many discrepancies between *Tosafot Tukh* and *Tosafot* R. Perez. For instance, *Tosafot* R. Perez *Bava Meẓi'a* 6b *s.v.* קִפְיָא resolves an issue with a suggestion that is explicitly rejected by *Tosafot Tukh*. See also the ruling that appears in *Tosafot Tukh Gittin* 79b *s.v.* וְהָא and in *Eruvin* 91a *s.v.* וּשְׂמוּאֵל that is completely dissimilar to the ruling recorded in *Tosafot* R. Perez *Eruvin* 99b *s.v.* תְּנִינָא. Sometimes the discrepancies are slight and require careful reading. For instance, see the nuances in presentation between *Tosafot Tukh Pesahim* 102b *s.v.* רַב and *Tosafot* R. Perez *Beẓabab* 33b *s.v.* כִּי regarding the question of why spices are not part of the *ḥavdalah* ritual when the Sabbath is immediately followed by

are in content or attribution, sometimes the difference between the redactions is only in terms of language or presentation.<sup>43</sup> Nonetheless, that the different redactions contained unique records of the Tosafist tradition is unquestionable and quite apparent from even a superficial comparison of the works.<sup>44</sup>

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a festival; see also R. Eliezer's teacher, *Sefer Or Zarua*, vol. 2, #92, in the name of Ri and the printed *Tosafot Beizab* 33b *s.v.* כִּי, which is attributed to a student of R. Perez (see Urbach, *Ba'alei Ha-Tosafot*, 612.)

<sup>43</sup> An example: The printed *Tosafot* on tractate *Hagigah* are *Tosafot Evreux* (Urbach, *Ba'alei Ha-Tosafot*, 619-620). On 2b *s.v.* לֹא, *Tosafot Evreux* uses the term “stronger” (עָלִים טָפִי) in describing a commandment, while *Tosafot Tukh* in *Gittin* 41b *s.v.* לֹא and *Bava Batra* 13a *s.v.* שְׁנֵאמַר makes the same argument yet refers to the commandment as a “great commandment” (מִצְוָה רַבָּה). Also note that in *Tosafot Tukh* this view is brought in the name of Ri, while in *Tosafot Evreux* it is brought anonymously.

<sup>44</sup> It is crucial to note that the majority of material found in *Tosafot Tukh* is also present in the other redactions, and that there is much more commonality in term of content between *Tosafot Tukh* and the other redactions than there is difference. This is the case, for example, with *Tosafot Evreux* on tractate *Kiddushin*, discussed above. Most issues discussed in *Tosafot Tukh* are also found in *Tosafot Evreux*. In fact, there are even cases where completely identical passages appear in both redactions. The same is true regarding *Tosafot R. Perez* on tractate *Bava Kamma*. Passage after passage in *Tosafot Tukh* is also found in almost identical form in *Tosafot R. Perez*. Many of the passages are practically word for word, while others contain only slight differences in syntax and wording. The similarity between the redactions is not surprising. Both *Tosafot Tukh* and the French redactions are, at their core, a record of the French Tosafist tradition as it was inherited by the students of Ri.

Even though the different redactions share many similarities, *Tosafot Tukh* was, in general, terser than the others. However, often the terseness of *Tosafot Tukh* was crippling, leaving passages hard to decipher. At times, one fails to realize a passage's full intent due to the terseness of *Tosafot Tukh*. In these situations, consultation of the parallel redactions sheds much light on *Tosafot Tukh*'s intent. An illustration: In *Tosafot Tukh Pesahim* 2a *s.v.* אִיךְ one can easily fail to realize that the opening question is a complex question that is based on two different Talmudic passages. However, consultation of *Tosafot Shanz* and *Tosafot R. Perez*, which unlike *Tosafot Tukh*, did not condense the question, demonstrates the true intent of the passage. A similar example is found in *Tosafot Tukh Kiddushin* 41b *s.v.* הַנִּכְרִי. It is very hard to grasp the problem that lies behind the explanation recorded tersely in *Tosafot Tukh* without reading the more verbose *Tosafot Evreux*.

### Regions of Popularity

Consistent with the idea that *Tosafot Tukeb* was a unique redaction of the French Tosafist tradition we find indications that *Tosafot Tukeb* was only popular in certain geographic regions, while the French redactions were popular in other regions. In a telling statement issued by a lesser-known Talmud scholar we find a strong indication that *Tosafot Tukeb* was popular in German lands. The scholar, commenting on a retraction of R. Tam, states that he was unaware of the retraction, “until I arrived in Regensburg and I studied [*Tosafot Tukeb* on tractate] *Ketubot*.”<sup>45</sup> Apparently, the version of the French Tosafist tradition that was available to this scholar before arriving in Regensburg, Germany, was distinct from the version recorded in *Tosafot Tukeb*.<sup>46</sup>

While *Tosafot Tukeb* may have enjoyed popularity in Germany, this was not the case in Catalonia. Years before the sun set on the Tosafist culture in France and Germany, the academies of Catalonia were studying the dialectical writings of the French Tosafists. In fact, the French compositions played a major role in the emerging Catalonian school. With the eventual demise of the French and German centers in the early fourteenth century, the Catalonian school moved into the foreground of Talmudic scholarship.

Furthering the dialectical analysis of the Talmud reinitiated by the Tosafists, the Catalonian academy of Ramban claimed itself heir to the Tosafist teachings and assumed the role of the prime flag-bearer of the Talmudic tradition. Indeed, Ramban could claim a direct connection to the Tosafist academies as his cousin, Rabbenu Yonah of Gerona, studied in the Tosafist academy of Evreux, and Ramban’s own teachers, R. Yehudah b. Yakar and R. Natan b. Meir, were students of Rizba. Commenting on this direct relationship to the Tosafists, Ramban declared regarding the Tosafists, “They are the instructors, they are the teachers, they are the ones who reveal to us the hidden.”<sup>47</sup>

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<sup>45</sup> Quoted in Kupfer, *Teshuvot U-Pesakim*, ed. E. Kupfer (Jerusalem, 1973), 322.

<sup>46</sup> A Vatican manuscript containing a commentary on tractate *Yevamot* records debates in a German Tosafist academy over passages in R. Eliezer’s redaction. This manuscript further demonstrates that R. Eliezer’s redaction enjoyed popularity in Germany. See Urbach, *Ba’alei Ha-Tosafot*, 624 fn. 18, who discusses this manuscript, and even concedes based on this manuscript that R. Eliezer’s redaction on tractate *Yevamot* might have been redacted in Germany.

<sup>47</sup> From Ramban’s introduction to “Kuntres Dina De-Garmi,” *Hiddushei Ha-Ramban*, ed. M. Hershler, vol. 1 (Jerusalem: 1970), 106-11.

However, not all of the Tosafist works made their way to Catalonia. During the tenure of Ramban, the Catalonian academy only had access to certain written teachings of Ri and R. Shimshon, and it was only in subsequent generations that later redactions reached Catalonia.<sup>48</sup> When Rosh arrived in nearby Spain in the early years of the fourteenth century, he brought with him complete written records of the French tradition, primarily *Tosafot Shanz*, but it is questionable how popular these texts were in the region.

Following in the footsteps of their teacher Ramban, subsequent Catalonian Talmudists directed their focus on the French Tosafist tradition. The Catalonian academies, and the *Hiddushim* literature they produced, were heavily based on the writings of the French Tosafist tradition.<sup>49</sup> Yet, careful study of the *Hiddushim* literature demonstrates that the version of the French Tosafist tradition utilized by the Catalonian Talmudists was distinct from that found in *Tosafot Tukeh*. This distinction is readily apparent in the writings of the great Talmudists who flourished in the academy of Ramban during and after the tenure of R. Eliezer.

### The Catalonian *Hiddushim*

When Ramban departed Catalonia for the land of Israel, R. Shlomo b. Aderet (Rashba, d. 1310) assumed the mantle of intellectual and communal leadership in the region. Rashba authored a Talmud commentary, *Hiddushei Ha-Rashba*, that drew heavily from the teachings of Ramban. Like the *Hiddushim* of Ramban, Rashba's *Hiddushim* confronted many of the dialectical arguments raised by the Tosafists. However, the version of the Tosafist tradition that Rashba addressed in his *Hiddushim* was different than the version found in *Tosafot Tukeh*.

For example, in tractate *Bava Batra* 2a *s.v.* אומר Rashba opens his comments by referencing the opinion of "Tosafot." However, this explanation of "Tosafot" is different than the opinion recorded in the corresponding passage in *Tosafot Tukeh*. Again, in tractate *Bava Batra* on 23b *s.v.*

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<sup>48</sup> See Ta-Shma, *Ha-Sifrut*, 2:103-107, that Ramban only had access to the *Tosafot* of R. Shimshon, and not the later redactions. See also *Hiddushei Ha-Ramban Le-Massekhet Ketubot*, ed. E. Schwatt (Jerusalem, 1990), editor's introduction, where Schwatt argues with Ta-Shma and suggests that Ramban also utilized later material.

<sup>49</sup> The *Hiddushim* literature is described by Ta-Shma, *Ha-Sifrut*, 2:35 and 2:56-57. For their use of the French Tosafist tradition, see E. Kanarfogel, "Between Ashkenaz and Sefarad: Tosafist Teachings in the Talmudic Commentaries of Ritva," *Rashi and Maimonides* (New York, 2010), 242-273.

ומישט, 23b s.v. תנן, 24a s.v. וליזיל, and 25b s.v. אמר Rashba quotes “*Tosafot*” and the material is different than that which is found in *Tosafot Tukh*. In fact, more than a quarter of the times that Rashba quotes from “*Tosafot*” in his commentary on tractate *Bava Batra* the supposed reference does not appear in *Tosafot Tukh*.<sup>50</sup> Yet, *Bava Batra* is not an exception. In other tractates as well, Rashba quotes material from “*Tosafot*” and the material is simply not present in *Tosafot Tukh*.<sup>51</sup>

This phenomenon also occurs in the writings of R. Yom Tov b. Avraham (Ritva, d. 1330). Ritva studied in the Catalonian city of Barcelona with Rashba before later settling in the Andalusian city of Seville. Ritva had access to many more *Tosafot* texts than his predecessors, and in his *Hiddushim*, Ritva quotes extensively from the Tosafists.<sup>52</sup> Yet, like Rashba before him, much of the material quoted from “*Tosafot*” in Ritva’s *Hiddushim* is different than the parallel material in *Tosafot Tukh*.<sup>53</sup>

As suggested above, the discrepancies between the *Tosafot* teachings quoted in the *Hiddushim* of Rashba and Ritva and those found in *Tosafot Tukh* are reflective of the multiple versions of the French Tosafist tradition that existed in the late thirteenth century. It is the distinct redaction

<sup>50</sup> This is an extremely high percentage considering that even if it is correct that the Catalonian scholars drew from a different version of the French tradition than that which was contained in *Tosafot Tukh*, both versions ultimately stemmed from the same teachings of R. Tam and Ri, and should contain a large amount of similar material. This high percentage is a great testimony to the different versions of the French Tosafist tradition that existed in different regions by the late thirteenth century.

<sup>51</sup> For instance, in tractate *Gittin* Rashba makes multiple references to “*Tosafot*,” and the material is not present in *Tosafot Tukh*. Two examples of many are *Gittin* 37a s.v. נקוב and 78b s.v. ארבע. In another case, 80b s.v. נישאו, Rashba claims to be quoting verbatim from “*Tosafot*” and the material is not found in *Tosafot Tukh*. It should be noted, however, that in numerous instances the material quoted as “*Tosafot*” in Rashba’s *Hiddushim* is found in *Tosafot Ha-Rosh*. Yet, Rashba did not utilize the *Tosafot Ha-Rosh* (Rosh arrived in Spain with his *Tosafot* in the latter half of Rashba’s career). Indeed, there are instances where Rashba quotes from “*Tosafot*” and the material is also not found in *Tosafot Ha-Rosh*, indicating Rashba had other redactions from which to draw. See for example, *Hiddushei Ha-Rashba* on tractate *Gittin* 37a s.v. נקוב and compare with *Tosafot Ha-Rosh*.

<sup>52</sup> Kanarfogel, “Between Ashkenaz and Sefarad,” 250-260.

<sup>53</sup> Ibid. 264, fn. 80. One particularly telling examples is tractate *Bava Mezi’a* 7a s.v. א where Ritva quotes the opinion of Ri in “*Tosafot*.” Not only is the material not found in *Tosafot Tukh*, but on the contrary, the parallel passage in *Tosafot Tukh* is based on assumptions that undermine the view of Ri as it is quoted by Ritva.

of R. Eliezer—as opposed to what were likely French redactions studied by the Catalonian scholars—that accounts for the dissimilarity between “*Tosafot*” quoted in the Catalonian *Hiddushim* and the content of *Tosafot Tukeh*.

With Ritva specifically we can begin to identify the French *Tosafot* from which the Catalonian and Spanish Talmudists quoted. Firstly, in Ritva’s *Hiddushim* on tractate *Bava Batra*, Ritva explicitly quotes material from the French *Tosafot Evreux*, which was apparently available to him.<sup>54</sup> Additionally, in his *Hiddushim* on tractate *Yoma*, Ritva references “*Tosafot*” frequently, and while the material is not present in the printed *Tosafot* text (attributed to the German Tosafist, R. Meir of Rothenburg), comparison to various fragments of *Tosafot R. Perez* shows that Ritva’s references to “*Tosafot*” do appear in this French redaction.<sup>55</sup>

The dissimilarity between the Catalonian *Hiddushim* and *Tosafot Tukeh* is also sensed in the writings of R. Nisim b. Reuven (Ran, d. 1376). Ran was from the Catalonian city of Gerona but left in 1352 to assume a rabbinical position in Barcelona. There he established a Talmudic academy, and began to restore the glory of Barcelona, after the devastation of the Black Plague. He was a major figure in communal and religious life, authored many works, including commentaries on the Talmud and R. Yitzhak Alfasi’s *Halakhot*, and is considered by many as the last in the chain of the Catalonian school of Ramban.

Like Rashba and Ritva, Ran’s use of the Tosafist writings demonstrates that he did not have access to *Tosafot Tukeh*. For example, in *Gittin* 2b *s.v.* וכתבו Ran quotes in his commentary on Ri’s *Halakhot* a ruling of the “Tosafists.” This view of the “Tosafists” was in fact the opinion of Ri, as attested to by *Tosafot Shan’az Ketubot* 92b *s.v.* ויניא. However, if Ran had in his possession *Tosafot Tukeh*, it would be hard for him to call Ri’s view *the* view of the Tosafists. In four different locations, *Tosafot Tukeh* adopts a position that disagrees with Ri.<sup>56</sup> Only someone without *Tosafot Tukeh* could unequivocally claim that the Tosafists’ view was otherwise.

<sup>54</sup> See *ibid.*, 255-256, for more on Ritva’s quotation of Evreux sources.

<sup>55</sup> E. Kanarfogel (*ibid.*, 262-264) has also demonstrated quite convincingly based on a number of sources that *Tosafot R. Perez* served as a source for the Tosafist material in *Hiddushei Ha-Ritva*.

<sup>56</sup> Tractates *Shabbat* 78b *s.v.* ות"ק, *Gittin* 2a *s.v.* ואם, *Bava Kamma* 8b *s.v.* ויניא, and *Bava Mezi’a* 13b *s.v.* אה.

A number of other examples are found throughout the Ran's writings and demonstrate that he did not have access to *Tosafot Tukh*.<sup>57</sup>

The lack of access to *Tosafot Tukh* in Catalonia—attested to by the writings of Rashba, Ritva, and Ran—came to an end in the latter years of Ran's life. In his responsa, Ran relates that in his elder years he received a copy of *Tosafot Tukh* on tractate *Gittin*. He even notes that in light of the material in *Tosafot Tukh* he needs to reconsider a passage he wrote in his commentary on tractate *Nedarim*.

שו"ת הר"ן סימן טו

והיא שיטה מחוורתא אע"פ שאינה מסכמת עם מה שכתבתי בפרישת  
מנדרים לפי שכתבתיה על פי ספרינו ועדיין לא בא לידי התוספות מתו"ך  
אפשר שאתקן שם מעט ואודיעכם.

Ran's statement indicates that only at some point in the mid-fourteenth century did *Tosafot Tukh* make its way onto Catalonian soil.<sup>58</sup> This concurs with the data we have seen thus far, and strongly bolsters the contention that *Tosafot Tukh* was distinct from the French redactions studied in Catalonia.<sup>59</sup>

### Popularity and Authority of the *Tosafot Tukh*

The dominance of the French redactions in the Catalonian academies is not hard to explain. First and foremost is the influence of Ramban's Provençal teachers who studied in the French academies, coupled with the fact that one of the forerunners of Ramban's academy, R. Yonah, studied in Evreux. These early connections to the French Tosafist culture might have established a relationship that continued with Ramban's

<sup>57</sup> Tractate *Pesahim* 3b *s.v.* מובטח. Ran quotes an explanation of "*Tosafot*," that is not found in *Tosafot Tukh*. The same phenomenon occurs on 7b *s.v.* כגון, 9b *s.v.* מה, and 11a *s.v.* משום.

<sup>58</sup> Although *Tosafot Tukh* was available in Catalonia in the later years of Ran's life, it appears that *Tosafot Tukh* did not immediately make its way to central or southern Spain. In Menahem b. Zerah's (Toledo, Spain, d. 1385) introduction to his *Zedah La-Derekh* we are informed that in fourteenth-century Spain the most popular Tosafist text of study was R. Perez's redaction. This seemingly continued for a while, and in the early sixteenth century we find Gerson Soncino writing that "...in Spain, Italy, and all the lands, we have only heard of the [*Tosafot*] of Shanz, of R. Perez and R. Shimshon and their colleagues."

<sup>59</sup> Consistent with this position, we find that the Catalonian scholars are seemingly unaware of the material in R. Eliezer's *Gilyonot*. Except for one possible reference in *Hiddushei Ha-Ritva al Massekhet Avodah Zarah* 18a *s.v.* מה, R. Eliezer's *Gilyonot* are not generally quoted in Catalonia.



students. Additionally, there are geographic considerations. The proximity of Catalonia to France and the relative distance to Germany might also have contributed to the lack of availability of *Tosafot Tukeh* in Catalonia.<sup>60</sup>

Even if the Catalonians were able to overcome the geographic challenges that stood between them and the *Tosafot Tukeh*, they still may have opted for the French redactions. Why would they choose to rely on a record of the French tradition of R. Tam and Ri redacted in Germany by a German Tosafist if they had access to French redactions that hailed from the same locale of the material they sought?<sup>61</sup> Indeed, it is logical to assume that the French redactions would be a more accurate and more authoritative source for the French Tosafist tradition than *Tosafot Tukeh*.

Yet, in truth the French redactions were not necessarily more accurate in their portrayal of the early French teachings. Indeed, it is quite telling that Rosh warns against the use of certain French redactions, singling out as unreliable the redactions of “those students who explained [the Talmud] in the presence of R. Perez.”<sup>62</sup> Also, E. Urbach notes that R. Eliezer was considered by many Talmudists as a supreme authority on the French tradition, and multiple sources indicate that *Tosafot Tukeh* was considered a more reliable source for the French Tosafist tradition

<sup>60</sup> The writings of Catalonian Talmudists suggest that they maintained a stronger relationship with France than with Germany. For instance, Ritva in his *Hiddushim* on *Bava Batra* makes one solitary reference to German culture on 18a s.v. אָקִיָּה stating, “And so I heard in the name of the German Rabbis.” This is vastly different than his four references to the Rabbis of France, including one reference on 77a s.v. אָם where Ritva writes, “And so the Rabbis of France ruled for me, God should guard them.” While Ritva only heard material in the name of the German Rabbis, he actually engaged in some form of dialogue with the Rabbis of France. In tractate *Shabbat*, Ritva makes multiple references to “our French teachers” (*Hiddushei Ha-Ritva* tractate *Shabbat* 53b s.v. רַב נַחֲמָן, 111a s.v. א"ו, 112a s.v. אֵיתָמָר) and the “Rabbis of France (ibid. 37a s.v. סַבֵּר and 74b s.v. תַּנּוּ), but no references to any German teachers or Rabbis.

<sup>61</sup> The Tosafist teachings are quoted hundreds of times in the Catalonian works as the view of “our French teachers (רַבּוֹתֵינוּ הַצִּרְפָּתִים).” One example from each of the aforementioned Talmudists: *Hiddushei Ha-Rashba* tractate *Berakhot* 18a s.v. רַב, *Hiddushei Ha-Ritva* tractate *Hullin* 78a s.v. אֵלְמָה, *Hiddushei Ha-Ran* tractate *Gittin* 86b s.v. א"ו.

<sup>62</sup> *She'elot U-Teshuvot Ha-Rosh*, 20:27. See also J. Galinsky, “Ha-Rosh Ha-Ashkenazi Bi-Sefarad: ‘Tosafot Ha-Rosh,’ ‘Piskei Ha-Rosh,’ ‘Yeshivat Ha-Rosh,’” *Tarbiz* 74 (2005): 393-395.

than the French redactions.<sup>63</sup> One such indication is the statement of R. Yisrael Yehoshua b. Rehaviah who ruled in accordance with the accepted Tosafist tradition as he knew it, but later in life gained access to a passage from *Tosafot Tukeh* that recorded the tradition differently. Based on R. Eliezer's authority alone, R. Yisrael decided to revoke his ruling. He justified this behavior by stating, "R. Eliezer is trustworthy in all of Israel... On the strength of his testimony, I retract everything I wrote."<sup>64</sup> Additionally, we saw above that also Ran held *Tosafot Tukeh* in high regard, as he claimed he would need to reconsider a passage he wrote in his commentary on tractate *Nedarim* in light of having gained access to *Tosafot Tukeh*.

The perceived authority and accuracy of *Tosafot Tukeh* was also seemingly the primary catalyst that sent Gerson Soncino on his arduous search. "I toiled and found books that were previously closed and sealed, and I brought them forth to the light of the sun, to shine in the firmament, such as the *Tosafot Tukeh* of R. Yitzhak and Rabbenu Tam. I traveled to France, Chambéry and Geneva..."<sup>65</sup> Soncino's self-testimony of how he "disregarded the *Tosafot* of R. Shimshon that lay readily at hand and at personal risk traveled to France"<sup>66</sup> to find the *Tosafot Tukeh* of "R. Yitzhak and R. Tam" attests to the high regard that *Tosafot Tukeh* enjoyed and the perception of *Tosafot Tukeh* as the authoritative record of the French *Tosafot* tradition.<sup>67</sup>

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<sup>63</sup> Urbach, *Ba'alei Ha-Tosafot*, 58, and Kanarfogel, "Between Ashkenaz and Sefarad," 265-266.

<sup>64</sup> Quoted in *Teshuvot U-Pesakim*, 322.

<sup>65</sup> Marvin Heller, *Printing the Talmud: A History of the Earliest Printed Edition of the Talmud* (New York, 1992), 102-103 and 132.

<sup>66</sup> Haym Soloveitchik, "The Printed Page of the Talmud," 41.

<sup>67</sup> We should note that in a few cases it appears that *Tosafot Tukeh* did not contain the most updated record of the French teachings. See for example, *Sefer Ha-Terumah*, #123, where R. Barukh records that Ri changed his mind on a particular issue, something not reported by *Tosafot Tukeh Gittin* 78b s.v. דא. Compare R. Eliezer's record to *Tosafot Ha-Rosh*, *Sefer Mizvot Gadol*, Positive Commandment 50, *Hiddushei Ha-Ritva Bava Mezi'a* 7b, and *Hiddushei Ha-Rashba Gittin* 78b. A similar example is found in *Tosafot Tukeh Shabbat* 54b s.v. הנה, where *Tosafot Tukeh* records a resolution in the name of R. Elhanan. Compare this to the printed *Tosafot* on *Avodah Zarah* 13a s.v. אין מקדישין (not *Tosafot Tukeh*), *Tosafot R. Elhanan* there, and *Tosafot Ha-Rosh Shabbat* 54b.

## Summary

In this article, we have seen that R. Eliezer's *Tosafot Tukh* is a faithful redaction and record of the French Tosafist tradition as it was studied in Ri's Dampierre academy and transmitted by Ri's students. In this vein, R. Eliezer did not generally include in his redaction material from his teachers or German contemporaries, nor did he include his own original contributions. Indications from printed editions of *Tosafot Tukh* that suggest otherwise are most likely scribal errors or attributable to other factors.

Despite his German provenance, R. Eliezer's focus in his redaction was the French Tosafist tradition. *Tosafot Tukh* is unique for it reflects the nuances and variations in the French tradition that emerged through the process of transmission over generations and via travel across the Rhineland to eastern Germany. Indeed, the Tuh version of the French Tosafist tradition is distinct from the versions recorded in other redactions, such as *Tosafot Evreux* and *Tosafot R. Perez* of France. Despite its popularity in German lands, and its reputation in later years for its authority and profundity, the *Tosafot Tukh* was not the standard *Tosafot* work studied by the great Catalonian scholars who flourished in the academy of Ramban and continued the tradition of dialectical study of the Talmud after the demise of the Tosafist intellectual culture. 