

SOME ASPECTS OF THE SOCIAL AND INSTITUTIONAL LIFE
OF MEDIEVAL GERMAN JEWRY AS SEEN IN SEFER HASIDIM

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INTRODUCTION

Judan the hasid of Regensberg was born in 1140 in Speyer, and died in Regensberg 77 years later. He traced his ancestry to the Kalonymides, an outstanding and influential family, famous not only for its wealth, but for its intellectual activity as well. Moving to Regensberg, Judan founded an academy and there produced part of what was to become the Sefer Hasidim. The book was completed and edited by Judan's outstanding disciple, Eleazer of Worms.

Through the years there have existed two different versions of the book. One was first published in Bologna in 1538 by Abraham the son of Moses the Priest. Recently the same text has been republished. The other text, longer and considered to be the older of the two, was published between the years 1891-1893. Jehuda Wistinetzki edited this manuscript, attributed to the 13th century. Throughout this study the citations will refer to the latter edition.

Sefer Hasidim, while not representing the work of one author, ¹ does present the viewpoint of one school of thought-the German Hasidim. It is a book that is highly critical of the German Jewish Community in the

period covering the last half of the 12th century to the first three or four decades of the 13th. The authors of the Sefer Hasidim offer remedies for the ills they point out, and the cure offered is a revolutionary one. In so doing the book presents the reader with a picture of medieval society that coincides with that portrayed by the historical chronicles of the day.

One cannot know with certainty, but it seems that the German Hasidim were only able to exert political influence during the years of Judah's life. It is clear that the German Hasidic Movement never reached the proportions of a mass movement, which is rather strange since the ideology of the group was aimed directly at the masses. The reasons for their failure are found not only in Germany, but in Rome and France and England. For the destiny of the German Jews was related to the fortunes of the Holy Roman Empire, the Papacy, and the activities of the great feudal lords. The actions of these protagonists brought social and economic changes to Germany, and these changes were felt by the Jewish Community. Paradoxically, as will be seen, these social and economic upheavals explain both the initial successes and the ultimate failure of the German Hasidic Movement.

The Sefer Hasidim was written in Hebrew. The traditional explanation given is that this was done

in an effort to canonize the book. This may be so. It should, however, be remembered that the Jews of Germany by the 12th century had long since given up Hebrew as their vernacular. The ideology of the book, as will be shown, is aimed at a low cultural tradition. But since it was written in Hebrew, it is reasonable to conclude that the book itself was intended for a leadership group who would then filter the message down to the masses. In any case, books in medieval Germany were a very rare and expensive commodity, and it would have been impossible to spread the message through the sale of the book.

This consideration should give the reader of the Sefer Hasidim pause for thought. For while the message of the book was intended for popular consumption, this was only to take place after it was handled by a certain leadership class. It has long been assumed that the Sefer Hasidim is much more than a mere collection of mystical parables.³ But it is doubtful that the truly revolutionary aspects of the book have been appreciated. The Sefer Hasidim is valuable for the modern reader not only because of its religious philosophy, or even because of its validity as a historical document. The book is a dramatic example of the birth, growth and death of a political movement for reasons that

transcend the ideological squabbles that were then taking place in the German Jewish Community.

This study will examine the historical climate of the period and the way in which the Jews fit into the feudal structure of Germany. Then, by an examination of the institutions found in the Sefer Hasidim, an attempt will be made to explain the short lived history of the German Hasidic Movement.

CHAPTER I

The 12th century dawned in Germany in the wake of the First Crusade. It was a period of constant bickering between the Emperor and the Papacy on the one hand, and between the Emperor and the great feudal lords who appointed him. The chaotic nature of the times is illustrated by the fact that in 1105 the Holy Roman Emperor was dethroned by his own son. After having successfully deposed his father, Henry V promptly reneged on his promises to the Papacy. The Pope had supported Henry with the understanding that when he replaced his father, Henry would pay obeisance to Rome. But Henry descended on Rome with an army and put the Pope under lock and key. At issue was the thorny question of whether the Emperor or the Pope was to invest the clerics of Germany. Thinking he had won the day, Henry left Rome, only to find, upon his return to Germany, that the Pope had no intention of following the agreement.

The complex issue of Investiture remained unsolved, with many broken promises on both sides. The feudal lords complicated the situation by playing one side off against the other whenever they were able. Finally, in 1122 the Concordat of Worms was signed. This resulted in a compromise favoring the Papacy.

Three years later Henry died, leaving no male heir. One group of feudal lords supported Lothar, Duke of Saxony, but another group threw its weight behind Frederick of Hohenstaufen. After much infighting the lords chose Frederick's brother, Conrad. Rome refused to support Conrad and he was temporarily defeated. In 1133 Innocent II crowned Lothar as Holy Roman Emperor in Rome. Two years later Conrad came to the throne on the death of Lothar. However, a powerful coalition of lords refused to back Conrad, and a bloody civil war broke out.

The Papacy was not without its own troubles. A widespread revolt of Romans resulted in a general reorganization of the Papal Institution. The Pope was then able to induce Conrad to lead the Second Crusade, but the Emperor accomplished little but the decimation of his forces.

In 1152, Frederick was crowned with the general support of the nobles, to whom he promised allegiance and obeisance. He had to wait three years before he was summoned to Rome by Hadrian IV to be crowned as the Holy Roman Emperor in Saint Peter's. His stay in Rome was filled with political intrigue, with each side trying to outmaneuver the other. After a time, Frederick found himself boxed in by forces more powerful than his own. He returned to Germany and was immediately involved in a

struggle with the Burgundian Lords. Once again Germany was ravaged by a civil war.

The years between 1158-1162 found Frederick warring in Italy against the Lombard cities. In 1160, internal fighting within the Papal institution resulted in the election of two Popes. Both Alexander III and Victor IV were proclaimed heads of the Holy See. Frederick sided with Victor and Alexander was forced to flee to France. In a short time, however, Alexander returned victoriously to Rome. He immediately deposed Frederick. The Emperor was able to retain the support of many of the great feudal lords, and he remained in power.

In 1176, Frederick's armies suffered defeat in Italy. One year later in Venice, the Pope and the Emperor reconciled their differences. In 1180, Henry the Lion resisted a coalition of feudal lords who supported Frederick, and Germany was racked by yet another civil war. Henry was defeated, but with the backing of the Normans, he continued to wield considerable power. In 1189, Frederick led a force of one hundred thousand Germans on the Third Crusade. He was mysteriously drowned one year later, and was succeeded by his oldest son, Henry VI. The following year Henry was summoned to Rome and crowned Emperor.

In 1197, Henry VI died, and was succeeded by his

4

son Frederick, who was but three years of age. Phillip, Henry's brother, was eventually crowned by Innocent III. He was able to gain the support of a large number of the lords. But then the Pope did a turnabout and procured the election of Otto of Brunswick, the son of Henry the Lion. A bloody civil war broke out which was formally ended with Phillip's murder in 1208. Otto, however, refused to pay obeisance to the Pope, and the years 1210-1218 saw a continual struggle between the two. Finally the Papacy supported Frederick, no longer a child, and he was able to prevail.

In 1220 in the Diet at Frankfort, Frederick II extended important prerogatives to the ecclesiastical princes, and a few years later the secular princes received the same powers. Frederick was finally crowned Emperor at Rome, but delayed starting the promised Crusade. After many threats and counterthreats Pope Gregory IX excommunicated Frederick in 1227. Within a year Frederick began the Crusade, and a year later was able to return from Jerusalem with a favorable treaty with the Sultan of Egypt. He was absolved by the Pope. In 1235, the Pope supported the Lombard League against Frederick. Four years later Frederick was excommunicated again, and the Pope tried to stir up an insurrection against him in Germany. Eleven years later Frederick died in Italy.

CHAPTER II

The complex forces that were to move Europe from medieval to modern times were well under way by the end of the 12th century. These changes were evident in the following related areas:

- (1) The founding and development of towns.
- (2) The emancipation of the serfs.
- (3) The growth of commerce, banking, and manufacturing.
- (4) The growth of liquid assets.
- (5) The consolidation of territories. 1
- (6) The rise and expansion of a burgher class.

In Germany, however, these changes were much less evident. Feudalism had come later to Germany and the medieval institutions remained firmly entrenched well into the 13th century. The social and economic changes² that ushered out feudalism brought with them a greater degree of centralization in order to bring to fruition the emerging goals of the burgher class. But in Germany the great feudal lords were in the positions of power. The Holy Roman Empire was little more than an inglorious³ myth. For the emperor was both appointed and controlled by forces and institutions whose power dwarfed that of his own.⁴ These circumstances doomed attempts to centralize Germany and keep her in step with France and

⁵ England. It was in the interest of the feudal lords, both religious and secular, to avoid any real movement toward centralization. For it was in the divisive struggles that they could consolidate their own powers. Thus we find these lords aligning and re-aligning them-⁶selves according to the needs of the hour. The princes often used the smoldering feud between the Papacy and the emperor to increase their own prerogatives. It was not uncommon for the Emperor to return from Rome with the blessing of the Pope only to find the lords armed and ready to march in order to enforce their own will. The Emperor was able to prevent the destruction of the royal forces by gaining the support of the lords. This support was gained at a very dear price. Thus one of the most capable of Emperors- Frederick Barbarossa- was forced to confer full rights to the princes for juris-⁷diction over their lands. The Emperor, to implement his own policies, had to strengthen the power of the lords⁸ in order to gain their necessary support. Thus the Crown often had to undermine its own institution to sur-⁹vive.

The basic reality in Germany during the 12th and much of the 13th century was this deep factionalism in evidence in all classes of society, religious as well secular. Thus the German bishops often united with the

feudal lords with the result that the Emperor and/or the
Pope lost power.¹⁰ Rome was no more able to control the
German bishops than the Emperor could dominate the lords.¹¹

Contributing to the cleavages was the almost
continual absence of the Emperor, who usually could be
found warring in northern Italy.¹² No sooner was the
Emperor able to consolidate his forces on the home front,
then he was badgered by the Pope into undertaking a
crusade, or by the nobles into venturing into Italy.
On his return he was greeted once again by the disruptive
disputes. The deep changes that were shaking France
and England often amounted to no more than a suggestion,
a hint of change in Germany. It is true that Germany was
able to expand in the 13th century. But this expansion
did not contribute to centralization, indeed, it often
only delayed it.¹³

Even the great feudal lords were not in control
of their own destiny. A fact of medieval German life
was the attitude of an institution many miles from the
borders of Germany. For while the nobles were able to
determine who was to be King, it was Rome which conferred
the title of Holy Roman Emperor. And it was to
Rome that the monarch of Feudal Germany had to travel
in order to receive Papal approval. At stake was not
merely a meaningless title. Involved was the weighty

question of to whose coffers the wealth of Germany was to flow. The struggles for this wealth produced Popes and Anti-Popes, Emperors and Pretenders, and constantly changing alignments.¹⁴

The bones of contention were many, but both sides focused most of their interest on the question of investiture. In 1073, Pope Gregory VII passed the first Investiture Decree in which laymen were forbidden from investing clerics. The German Crown fought this, but the Papacy was able to enforce its will. The upshot of this incident was that Henry IV, King of all Germany and Holy Roman Emperor, had to stand in the snow for three days outside the Papal Palace waiting for the opportunity to apologize to Gregory.¹⁵ The Pope, seeking to consolidate the gains of his institution, overplayed his hand by deposing Henry. There followed a period of Anti-Popes and Anti-Emperors. Symptomatic of the times was the fact the neither side was able to gain a clear cut victory.¹⁶ Finally, both sides began to weary of the struggle in which it was becoming clearer that neither prevail without compromise. In 1122, a compromise was effected in the Concordat of Worms. Henry V guaranteed the canonical election of bishops and abbots. In return the Papacy conceded to the Emperor the right for him or one of his represented officials to be at the

elections. What seemed to be a compromise was in fact
 a victory for the Papacy.¹⁷ No Holy Roman Emperor was able
 to reign with a free hand over the Church.¹⁸ This does
 not mean that the Emperor's submitted. Frederick Bar-
 barossa attempted to gain control over the German Church.
 The Papacy was able to prevail because it was backed by
 the great feudal lords.¹⁹ Slowly the tide began to run
 against the secular forces, and Innocent III was virtually
 able to decide who was to be Emperor.²⁰ The excommunications
 and the depositions continued, but it was the Papacy, and
 not the Royal forces, who were able to increase its
 prerogatives.²¹ This is evident by the fact that in 1199
 Innocent III was able to directly tax the German Church,²²
 over the strong protests of the Monarchy. In general,
 the 13th century was one of progress and re-organization
 for the Papacy.²³

The forces that gained the most from this con-
 fusion was the group that insured its continuance- the
 feudal lords.²⁴ While in other European countries the power
 of the Royal forces was increasing, in Germany, politi-
 cal union became weaker. And one of the prime reasons
 was that in the background of all social-economic life
 in Germany was the fact of the continuing dispute be-
 tween the empire and the Papacy.²⁵ It was not only the
 lords that ensured the perpetuation of these divisive

forces, for the foreign policies of both England and France were inclined in the same direction. Neither had any desire to see the myth of the Holy Roman Empire²⁶ become a reality.

But Germany could not entirely escape the changes that were taking place in Western Europe. After 1100, in response to the increasing use of money, the rise of trade, and the growth of a burgher class, towns increased²⁷ in importance. Though these changes were less evident in Germany, the tremors could be felt in spite of the fact that the 13th century represented the peak of feudalism.²⁸ For the same period saw the beginning of the end of the feudal system. Initially, the feudal lords looked askance on these towns, for they represented a threat to the way of life on which the nobles thrived. While it could be said that in the 10th century Germany was "thoroughly feudalized", the winds of change were²⁹ blowing much stronger in the 12th and 13th centuries. Unable to stop the change, the great lords endeavored, at best to use this change to their advantage, and, at worst to contain it. Thus the rise of towns precipitated a struggle for their control between the Emperor,³⁰ the secular and ecclesiastical lords and the Papacy. The towns themselves were usually in favor of a strong monarchy, for this was the best guarantee of peace.

Peace was a necessary condition for many of the burghers engaged in trading within the borders of Germany. A stronger monarchy would, as it had done in England and France, bring greater centralization. This was of paramount importance to the towns.

Though the towns often began aided by Royal grants of self-government, the Crown was forced to hand the towns over to the feudal lords in the 13th century.³¹ But the princes were only able to slow down the economic process, they were unable to stop it altogether. The towns continued to grow in power, and the people flocked to them.³² They became more and more independent and slowly, and sometimes painfully, Germany moved in the direction of centralization.³³

This progress is evident if one is able to take an overview of German history that encompasses several centuries. It is doubtful, however, that Frederick Barbarossa was able to sense this slow drift toward centralization. His Kingdom was divided into warring factions that fed the internal discord. A famine, resulting from natural and political causes, swept through Germany. Rome was piously demanding another crusade; the nobles, a costly war in Italy. By granting additional powers to the lords, Frederick was able to restore some semblance of order. For the lords desired disunity,

³⁴
not anarchy. Rome, however, continued to press for yet
another crusade. the struggle over investiture had re-
sulted in increased religious feeling in all classes.
In this indirect sense, the struggle also gave birth
to the Crusades, which the Popes were able to use to
further own interests. ³⁵ At one point the Papacy event
tried ~~to~~ instigate a crusade against the Emperor. ³⁶ Most
of the crusades were hopeless failures, doomed before
they started. ³⁷ This widening split between the Pope and
the Emperor worked in favor of the great feudal lords.
When their own prerogatives were not threatened, they
did everything in their power to see that this feud
³⁸
continued.

CHAPTER III

One of the first results of the Crusades was the persecution of certain Jewish communities. The Jews were not newcomers to Germany. Indications are that there was a large, well organized Jewish community in Germany as early as 321 of the Common Era. The Jews enjoyed full civic liberty, being restricted only in proselytizing, in the keeping of Christian slaves, and in the holding of civil office. They were allowed to engage in all occupations and did so, especially in the areas of agriculture, trade and industry. The Jews continued to prosper under the Burgundians and the Franks. Charlemagne often made diplomatic use of the Jews. He sent one as an interpreter and guide with his embassy to Harun al-Rashid. As the Church gained political power in Germany, the Jews were often subjected to attacks that were framed in religious phrases. They were, however, motivated by economic considerations. The outbreaks of popular passion against the Jews during the Crusades added to the precariousness of the Jew's condition, but more often than not they were protected by the Emperor. In fact, the Crown claimed the right of possession over the Jews. Many Jews were forced to convert during the waves of mob fanaticism engendered

by the Crusades. But the negative effect should not be over emphasized. For example, the effects of the First Crusade were not widely felt by the Jews. Those who were forcibly baptized were allowed to return to the religion of their fathers.⁵ To understand this seeming contradiction of mob violence on the onehand, and prosperity and alignment with the power structure on the other, one must focus his attention on the social position of the Jew during the 12th and 13th centuries.

In the 12th century, the overwhelming majority of the Jews lived in the towns. The Jewish population was undergoing a steady increase.⁶ This period saw the feudal institutions at the apex of their power but in the towns change was in the air.⁷ In 1103, the Jews of Germany were placed on a new legal basis. They came under Royal protection. They became, in effect, the property of the Holy Roman Emperor. There was a long tradition in Germany to support this move, it was far from a radical one. It formalized what had been assumed for centuries.⁸ This step was prompted by the Royal wish to place as many towns under its domain as possible. It has been noted that most of the expanding Jewish population was in the city. This new legal status afforded the Jew many privileges along with the obligations. In 1157, these privileges were enlarged and

specified in the Privilege of Worms. Under this Privilege Jews came to be equated with legal land peace⁹ protection.

As will be seen, the Jews constituted an integral part of the growing towns. And the towns themselves represented the future. The lords attempted to hold back the cities' development, and when this proved impossible, they forced Frederick II to hand over many¹⁰ of the Royal towns. The Royal forces had no such ambivalence. The towns served their needs at virtually every turn. As the towns grew, and their industries and trade along with them, the feudal economy gradually gave way. The mercantile interests demanded a greater degree of centralization, and this certainly enhanced the Crown's chances for eventual success over the vested feudal interests.

The general privilege of 1157 followed the many privileges that specific communities would hand down to define the role of the Jew in German society. The Jews became property, but very valuable property, and were treated as such. In 1236, Frederick II promul-¹¹ gated a privilege making the Jew servitus camerae. The feudal lords, moving to protect their interests, also handed down privileges that were very favorable to the¹² Jew. These privileges caused one 12th century Talmudist

to compare the Jews to knights because of their freedom
of movement and their right to bear arms.¹³ In medieval
Germany these were strictly upper class privileges. In
addition, the Jews had the right to their own juris-
¹⁴
diction.

The towns continued to grow and to prosper. This
was so in spite of the many disputes over their con-
trol. Even the crusading rabble, which often sacked
towns on route, did not stop town dwellers from pur-
suing their own interests. Certain Jewish groups reaped
great material benefit from the town's activity. At one
period in German history the terms "merchant" and "Jew"
¹⁵
were used almost interchangeably. The Crusades and the
concomitant growth of trade, both of which the Jew largely
¹⁶
made possible, displaced the Jew from this favored po-
sition. These activities raised up a new class of
¹⁷
Christian financiers. The Christian traders, for their
own protection, formed guilds which were closed to the
Jews. The Jews found it increasingly difficult to com-
¹⁸
pete. Before the Crusades the Jew served as middleman
between east and west, but the "religious wars" raised
¹⁹
up a new class of merchant traders among the Christians.

In the 12th and the 13th centuries, the Jews
were forced, both economically and politically, into
²⁰
lending money on interest. In some cases the Jews were

granted a virtual monopoly in this new, highly precarious endeavor. This was done by a government decree or by simply forbidding Jews from entering other occupations.²¹

Perhaps the Jews did not enter this occupation willingly, in any case, they managed to make a remarkable success out of it. It was a tainted profession, and the official Church practice from the 12th to the 14th century was to prohibit its members from engaging in usury. In most instances the Church strove to enforce their decrees.²² Tainted profession or not, records indicate entire villages, towns, and even dominions falling into the fiscal possession of the Jews, in this era.²³ The liquid assets of the Jews doubled and tripled. The overall wealth of the Jewish community was great. They paid substantial taxes and met exorbitant ransoms. For example, in 1241, though the Jews constituted but one percent of the population, they²⁴ paid twelve percent of the total imperial levies.

The bankruptcy of feudalism often placed the Jew, qua money lender, in a very precarious political position. The very activity of money lending did not result in a positive image.²⁵ The endeavors the Jews financed were often not very productive. It was also difficult for the borrowers to pay the exorbitant interest.

It was a vicious circle. The interest was high because of the hazardous nature of the endeavor, and this same interest often made payment of the loan impossible. Thus the nobles often declared the document to be invalid, or stirred up the masses on religious grounds-²⁶ "Christ killers". The Crusades offered a welcome opportunity to those nobles who were indebted to Jewish money lenders not only to wipe the balance sheet clean, but to gain a little booty in the process. There are many instances in which the crusaders exacted huge payments from Jewish communities in return for their lives. We should not be surprised to encounter instances in which Bishops risked their lives to save the Jews of their town, or other occasions in which the town Bishops eagerly helped the plundering hordes. For as Heine observed: "...what we now call the hatred of the proletarian against the rich, was formerly called Jew hatred." In many towns the local church was in silent²⁷ partnership with the Jews. In these towns, the stage that the financial machinations had reached, often determined a Bishops benevolent or malevolent attitude. This problem can only properly be discussed under the purview of Judeo-Christian relationships in 12th and 13th century Germany.

At first glance the relationship seems to be a negative one. In the spring of 1092, 22 Jews were slain at Metz; on May 3, the Jews of Speyer were attacked, with 11 dying; on May 18, the Jews of Worms were all slain, except for a few who were forcibly baptized-²⁸ eight hundred were killed. From Rome came anti Jewish²⁹ legislation penned by Innocent III. A Bishop of Regensburg coined the expression: "a Christian in name³⁰ and a Jew in deeds". Some scholars view this period as one of "humiliation and degradation" for the German Jew.³¹ On closer examination, however, a different picture emerges.

The Jewish settlers in Germany originally segregated themselves willingly. They did this for religious reasons certainly, but it was more than religious motivation that prompted the move. A closed settlement in a town offered positive business opportunities for the Jewish merchants, for both competitive and co-operative operations. Also, a pragmatic appraisal of their situation in a Christian country told them that they would receive better and more prompt protection by the town lord, or the representative of the Crown. And the Jewish leadership saw the advantage in a segregated community in terms of the control that they would be able to exert. It has already been noted that the Jews were

allowed to govern themselves, and a sprawling, disorganized community would have posed both religious and economic problems for the leadership. The fact that³² very few Jews aspired to political office can be attributed more to the attitude their own leaders rather than to discriminatory intent on the part of the Christian leadership.³³

It was in the best interest of the Crown to protect the Jew, who, to a large extent, financed Royal schemes, and represented an integral part of Royal consolidation plans for Germany. It would be a mistake to view the Church in a different light. The Papacy also strove to control the towns, and one of the few things that Rome and the Emperor were able to agree upon was the fact the Jews must be protected.³⁴ We have noted instances in which the Church went into silent economic partnerships with the Jews, to the advantage of both.

Problems arose because of the competition between the Christian leadership institutions over the control of the towns.³⁵ In such circumstances the Jews often found themselves as pawns in a complex game with very high stakes. The attitude of a particular power group depended more on the political conditions than on whether the Jews were responsible for the death of the Christ. How else is one to explain Innocent III's contrasting

statements concerning the Jews? On the one hand, he calls³⁶ them the "living witnesses of the true faith", and on the other states that they deserve everything the crusading rabble did to them, and more.³⁷ The true nature of his complaint can be seen in the fact that he often admonished princes who allowed the Jews to take possession of Christian castles and villages with their money lending schemes, "and the worst of it is that the Church³⁸ loses the tithes".

Innocent wanted this revenue for the Church, but the secular interests in Germany were able to offer a bona-fide protection policy to the Jew that Rome could not. Political expediency demanded some action from the Papacy, and it often came in the form of anti-semitism. The Jew's position was precarious because his destiny was being worked out by forces over which he did not have adequate control.

Interestingly, the attitude of the German Bishops, which as has been noted, often ran counter to Rome, was for the most part favorable toward the Jews. For Rome was no more able to exert control over the German Bishops, than the Emperor was able to dominate³⁹ the lords.

The fact that the Jew was able to integrate himself into the business affairs of the towns is testimony

to the prevailing attitude of the Christian community. There are many town proclamations from this era which are very high in their praise of the Jew, and which demand his protection.⁴⁰ There is an instance where a town mayor, in a campaign promise, pledged to induce Jews to come to his city because of the added honor that will come to the town.⁴¹ The fact that the Jew would also bring greater wealth into the community doubtless had something to do with the mayor's pledge.

The general Royal privileges that were extended to the Jews have already been discussed, but they should be kept in mind, for they spell out the fundamental condition of the Jew. The Carolingian tradition of protecting the Jews was more closely adhered to in Germany than in either England or France.⁴² On the whole, the relations between the Jews and their Christian neighbors were fairly amiable.⁴³

From the beginning of the 11th century to the latter part of the 13th, the evidence indicates that the Jewish community in Germany was both numerous and prosperous.⁴⁴ This is not to discount the precariousness of their situation. But its nature is to be explained in the larger perspective of the power politics of the day, and within this structure the Jew occupied an important, and often essential part. For example, it

cannot be denied that the Crusades adversely affected the material, economic, and spiritual life of the Jew. But paradoxically, it was the economic influence of the Jew that made the Crusades possible. And the facts indicate that certain elements in the Jewish community⁴⁵ reaped considerable profits from the Crusades. Most of the Jews in Germany were not directly touched by the Crusades, although the social and economic reverberations were soon felt by the whole of Germany.⁴⁶ Indeed, a Jewish observer at the Mayence diet where the plans were completed for the Crusades, expressed a great deal of satisfaction for, "it was written and sealed as well as proclaimed by word of mouth that they must⁴⁷ watch over the Jews, even as the apple of their eye". It has been noted what sometimes happened when the nobles found themselves in a financial bind. But these persecutions must be seen as part of the greater whole. The wealthy Jews very rarely paid with their lives, for they were of little value in that state to the Emperor. Many Jews did die, and many Jews were poor and disenchanted with their lot.⁴⁸ For many Jews in the German towns, life was without hope, and at times without bread, but this was due more to their own leadership, than to Rome or feudalism or the Emperor. This point will be discussed later.

Only one facet of Jewish activity in medieval Germany has been examined- the economic one. And although Jew and merchant were often used interchangeably, many Jews were not merchants. For many Jews were engaged in the study of the Law. In 12th and 13th century Germany, the main intellectual activity of the Jewish scholar class was the study of the Talmud.⁴⁹ It was not, however, of a very creative nature.⁵⁰ Graetz notes that the Jews of this period were without "taste or enthusiasm" for this discipline.⁵¹ It is important to note that some see this period as being one of decline in regard to intellectual pursuits.⁵²

It was a time when stability and prosperity existed alongside of chaos and poverty depending upon one's social condition. It was a period when the forces of change which were to move Germany out of feudalism were in evidence in the towns. It was a period when the religious leadership was as politically active as a feudal lord or the Holy Roman Emperor. It was a period when the secular leadership defined their goals in religious ideology. It was a period when the intellectual pursuits of the leadership class only served to widen the gap between them and the discontented masses. Above all, it was a period when a small portion of the populace was able to exert control over an increasingly

restive and potentially powerful class of city dwellers. All of these conditions existed not only among the Christians, but, to an equal degree, could be found among the Jews.

CHAPTER IV

The social and economic climate of Germany in the 12th and 13th centuries has been examined. There are many facts to use and misuse, but at least there are certain documents which make a reconstruction of the period possible. About Judah, the son of Samuel, the Hasid of Regensburg, few facts are available. His life spans the last half of the 12th century and the first decade and a half of the 13th. It is known that he was born into a most distinguished family, the Kallonymides. Originally from Italy, some of its members moved up into Western Europe in the 9th and 10th centuries. Liturgical poets, talmudists, and mystics traced their ancestry to this prominent family. Only bits and fragments of Judah's life have been left to us. Born in Speyer, he eventually made his way to Regensburg, the intellectual and cultural center of Germany. There he founded an academy.

There are, however, many interesting legends concerning his life and his work. One relates that he was 18 years old before he began his formal studies. This was a cause of much embarrassment to his father, who was a great Talmudist. Judah preferred to spend his

in the fields, or in the pursuit of secular knowledge. Finally his father was able to convince him to begin his Jewish studies. As soon as Judah heard his father utter the ineffable name of God, he was seized by a prophetic trance. Seeing this, Samuel predicted great things for his son. And so it was. Judah found that he was able to memorize all of Jewish tradition as soon as he saw or heard it.⁴ Several legends deal with the common theme of Judah's ability in improving the relations between the Jew and the Christian.⁵ These legends show him dealing with princes and town mayors and bishops. In all of them he is able to command their respect. In some of them he is sought by the Christian leadership for advice on religious and political problems. For example, one saga tells of Judah saving an innocent Jewish community from persecution by going directly to the town mayor.⁶ In another, Judah gains an audience with a powerful prince who was friendly to the Jews, and thus allows a Jewish community to escape the wrath of certain Christians.⁷ Another tells of the Bishop of Salzburg coming to Regensburg with the intention of killing Judah. However, a short conversation with the Hasid not only caused him to change his mind,⁸ but his religion as well. One legend has an important prince coming to Judah to ask him about the advisability

of joining a military alliance. Judah advises against it, and the Prince followed this advice, in fact, this Prince followed Judah's advice "in all matters".⁹ In yet another legend Judah is able to save a rich man's son from forced baptism by appealing to the Christian leadership.¹⁰ Several legends describe Judah as a great scholar.¹¹ In one legend, Judah is shown enforcing a little known law.¹²

From these legends a picture emerges not only of Judah, but of the times in which he lives. Judah is depicted as a great scholar, but much more than a scholar. He is respected by elements of the Christian leadership, and is often aided by them for the benefit of his fellow Jews. Judah is consulted not only on intellectual and religious problems, but on political ones as well. The legends indicate that he was able to give sound advice in all these areas. He is pictured as coming from a Talmudic tradition, but he does not remain within its confines. For he is trained in secular matters as well. Although he had to be forced into the study of Talmud, no one forced or coerced him into loving nature, or into inquiring into other areas of knowledge. The precariousness of the Jewish position can be seen in the many times Judah went to the Christian leadership to save one community or another. The legends indicate

that this precariousness was due to certain struggles that were taking place in the Christian community, not for any intrinsically religious reasons. All of this conforms to what was concluded previously concerning the way in which the Jew lived and worked within the socio-economic framework of medieval Germany. It was noted that the relative insecurity of the Jewish position resulted from the struggles taking place between the Emperor, the great feudal lords, and the Papacy for the control of the German towns. The Jew was an integral part of these towns, and his services as a merchant and as a money lender were required. They were treated well and were protected. However, the level of Christian leadership which was not in power often attacked the Jews in order to undermine those Christian leaders whose positions of power they sought to attain. The Jewish leadership, although able to govern and control the Jews, could not stop these sporadic outbreaks of persecution without going to friendly elements in the Christian community. These considerations are evident in the legends.

Though little is known about Judah's life, the student of German Jewish history has something more than legends concerning the Hasid of Regensburg. There is the Sefer Hasidim, the major work of the academy he

ounded. This book is not the product of Judah alone,¹³ but it does represent the work of one school of thought. The book, properly understood, is a reflection of the life of the German Jewish Community from the end of the 12th century until the middle of the 13th.¹⁴ The book speaks to the practical problems being faced by the Jews of medieval Germany. If the legends indicate that Judah was an active participant in the affairs of the community, the book proves it. On the surface, the book often seems to be a folksy, rather meandering work, composed of many elements, both secular and religious in nature.¹⁵ A closer examination, however, reveals much more.

The German Jewish Community of Judah's time was large, well organized, and prosperous.¹⁶ Nearly all of the Jews lived in the towns. Jews were, in fact, found in all the large towns of Germany. While all of the Jews were not, of course, wealthy, there were many extremely wealthy Jews. Judah's attitude toward them, as spelled out in the Sefer Hasidim, is quite clear. A section talks about the good old days when the righteous of the community could force the rich to give the proper amount to charity. But in Judah's day the rich rule and they do not heed the cry of the needy except when they are forced to do so by compulsory decree.

This section, as with so many others in the book, quotes the Talmud to introduce the point that will be made. In this case a situation is delineated in which the rich have turned the tables on the poor. Instead of giving to them, the needy are forced to add to the¹⁷ coffers of the wealthy. In Judah's day, the wealthy elements of society were often able to monopolize a particular trade or business and charge high prices because there was no competition. At times, the rich of one town made it impossible for a merchant from another town to do business in the former's abode. They were the ones to feel this economic squeeze, for the¹⁸ lack of competition made the prices higher. According to the German Hasidim, the rich were running the society at the expense of the poor. In one of the many parables in the book, the reader is told of a rich man who took a woman for his wife despite the fact that he was not able to obtain the consent of her parents. This man went to a sage and asked him to participate in the wedding, but the latter refused, and in the¹⁹ process accused the rich man of unjust actions. Another section recounts the actions of a certain sage who advised a man to marry his daughter off to a poor suitor, rather than to a rich one. It seems that the latter was demanding a large dowry that the father could not

meet. The father wanted to raise the money by begging, but was told by the sage that this would be comparable²⁰ to robbery. In like manner, it is not surprising to find an admonition against the sumptuous wedding feasts of the wealthy. Judah advises that it would be better to give some of the money to the poor. In any case, such feasts are in bad taste.²¹ One parable recounts how one poor man advised another in the same economic condition to take a rich woman for a wife. The man replied that even though he had barely enough food, he would not do so for such an action would have an evil²² affect on his family. The reader is told that money and Torah simply do not mix. For example, if there is a poor scholar, one must provide him with food and shelter but not with money, for this will make his mind wander²³ from his studies.

Sefer Hasidim indicates that the wealthy elements in the Jewish community controlled the economic life in the towns, but not only the economic aspects. For the religious as well as the intellectual institutions were controlled by the same elements. This resulted in a societal set up in which virtually the only people who could perform the commandments were the rich. A parable tells of one who honestly desired to carry out the commandments, but was unable to do so because of²⁴ his poor economic condition.

The Sefer Hasidim tells of a rich man who insisted on contributing the entire sum for the construction of a synagogue, even though others were eager to give. This man wanted all of the merit for his family.²⁵ In one long indictment of the wealthy, the reader is told that the rich were able to misuse the legal system to their own advantage, keep the needy from performing the commandments, aid the sinners while spurning the true lovers of God, and chase people out of the synagogues.²⁶ Thus once the synagogues were built, the domination of that institution by the rich, did not cease. A section tells of a man who wanted to sit closer to the ark so that his prayers might be more readily accepted. Since the man was wealthy he was able to buy a front pew. The rich, it seems, occupied the "choice" seats in the synagogues. This section ends with the cryptic comment that the belief that the proximity to the ark helps one's prayers to be accepted is an absurd one. The only thing that it accomplishes is the stirring up of envy among those who are forced to sit in the back rows.²⁷ But it is not only in the synagogue that the wrath of the poor is raised against the wealthy. For many of the rich were engaged in lending money at huge interest rates. The ramifications of this activity were felt in the Christian community as well.

The Sefer Hasidim sounds very much like the Papal Institution in its condemnation of money lending.²⁸
 The book comes to equate charging interest with fraud.²⁸
 One section relates that the person who lends money on interest will one day find himself in dire straits.²⁹
 Once an evil Jew, who acquired his wealth by money lending, had a poor neighbor who wanted to move. A sage advised a third Jew not to buy the poor man's property, because the evil Jew wanted it, and would make poor whomever owned the property next to his.³⁰
 But the rich, according to the Sefer Hasidim, will not always be in this favored position, for their wealth was undeserved.³¹

In the eyes of the authors of Sefer Hasidim, wealth was a bad sign. For God has let these people acquire wealth so that all of their merit would be used up. Thus they will not gain admittance to Paradise. Conversely, the good who were suffering in Judah's day will be rewarded in this world to come.³² For wealth caters to the delights of the body, not the soul. It is of little value in gaining entry into this heaven,³³ in fact, it exerts a negative influence. The society is such that only the rich are able to make themselves heard, whether it be in the synagogues, the market places, or the law courts.³⁴

The picture of city life in the 12th and 13th centuries in Germany that is found in the Sefer Hasidim is a negative one. The rich Jews are admonished in the book, but the authors of Sefer Hasidim do not lose perspective. For example, an interesting parable relates that a poor person was about to sell a valuable object to a rich man. The latter did not know its worth, and suggested they go to a third party for advice. The poor man first went to this third party and asked him to inflate the value of the object for he needed money. The third party refused to lie in behalf of the poor man, no matter how much he needed the money.³⁵ In another section the reader is told that the poor who subsist on charity are forbidden to indulge in luxuries.

In spite of the above mentioned elements, it is quite clear in which direction the Sefer Hasidim points. The fact that it affirms the intrinsic value of the ethical act should not cause a reader of the book to miss its main message, and the fact that this ideology is aimed at a low cultural tradition. The book tells of a community which lacked both a synagogue and a hostel for the poor. The reader is advised that the hostel is more important than the synagogue. The same section relates that David was not allowed to build the Temple because he did not adequately attend to the needs

of the poor in his kingdom. One of Judah's favorite Talmudic passages goes as follows. R. Hama b. R. Hana said to R. Oshayah: "How numerous were the souls destroyed by your ancestors in that they built numerous synagogues instead of giving those sums to scholars occupied with sacred study! ". A sage adds, in the same section, that a man should not rear up synagogues. Let him rather give those sums to those God fearing scholars who study the Toran, or to those who cannot live by other means.³⁷ In like manner, if one has an article that both a rich and poor man want, and both of them are offering the same price, it is a sacred duty to sell the object to the poor man.³⁸ The reader is told of a certain man who had many books in his possession. This man instructed his sons about the proper use to make of these books. One of his injunctions was that the books should be lent to the poor sooner than to the wealthy.³⁹ The picture the Sefer Hasidim draws of the lot of the poor is a bleak one. He cannot perform the commandments, and he is left out in the cold by the religious and secular institutions of the Jewish Community.⁴⁰ The rich force the poor to pay taxes they cannot afford, and the latter have no place to go to for retribution, both the synagogues and the law courts were deaf to their pleas for help.⁴¹

The book relates that once the poor came before God and asked Him why there were so many rich people. And why did God permit them to increase their wealth while their own lot became more desperate. The rich, they complained, had enough wealth so that one hundred poor could subsist on just one of their gifts. God replied that the scales of justice would one day be balanced, and the rich would be punished as if they were robbers.⁴² For even though the poor were not able to perform the necessary sacraments, there will be a place for them in the world to come.⁴³ In fact, a poor man who honestly desires to do the commandments, but is unable to, bring merit to others as well as himself.⁴⁴ Thus, even though the poor were on the bottom of the societal ladder, they will end up on the top in paradise.⁴⁵ In the above mentioned cases the book is dealing with the most basic religious question. The answers that it brings forward as to why there is suffering in the world are couched in terms that the poor and uncultured of the day will understand. But once again the book does not lose perspective. One section admonishes the reader not to give charity to the unworthy because whatever one gives them, they spend on harlots and on gluttony. With that kind of giving one simply increases the wrong kind of people in the world. This type of

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charity is a sin and not a virtue.

During this period in Germany the Jews were
 granted a virtual monopoly on money lending.⁴⁷ The Jews
 were to be found in all of the main towns,⁴⁸ and their
 wealth was significant, so significant that they were
 able to give taxes that belied their small numbers.⁴⁹
Sefer Hasidim seems to show a decided preference for
 those elements of society who did not share in this
 prosperity. The book clearly shows the struggles that
 were going on in the German Jewish Community. Mirrored
 in the book are the disputes between the rich and the
 poor, and those between the employer and the employee,
 and almost always the authors side with the poor and the
 employee. Judah consistently takes the side of the
 weak and the underprivileged.⁵⁰ It is not that he is
 against wealth. He could hardly be, for he came from
 one of the wealthiest families in all of Germany. Un-
 like Saint Francis, to whom he is often compared, Judah
 never gave up this wealth. Rather, the book is against
 the new monied classes who were misusing their power
 at the expense of the poor and the uneducated.⁵¹

Much of what the book says and the way in which
 it phrases its ideology shows strong influence from
 medieval Christianity. The many sections on the living
 and the dead and their interrelationships is one case

⁵²
in point. Another is the concept that one could lighten
his suffering in the world to come by suffering in this
⁵³
world. The laws of repentance in Sefer Hasidim show
more kinship with medieval Christian thought than with
⁵⁴
halakha.

Sefer Hasidim, in the eyes of Baer, spoke to the
real needs of those elements of the Jewish Community
who were unable to function in the midst of the new
monied activities in the towns. He feels that it was
a greater source of comfort to such Jews than the works
of the philosophers. ⁵⁵ But it would be a mistake to assume
that Judah and his followers remained within their
academy. There is little doubt that they went from
town to town in an effort to spread their movement to
⁵⁶
the masses. In the process they attacked many of the
existing institutions and mores of medieval life. The
question as to why they failed is involved with other
problems such as the negative stance of the book in
regard to money lending, and the aristocratic tendencies
that exist within an ideology that was clearly intended
for a low cultural tradition. ⁵⁷ One must also consider
the relationship of the German Hasidic movement to
"mainstream" Judaism. All of these questions will be
examined.

The 12th and 13th centuries in Germany were ones

of intellectual upheaval. New doctrines were in the air, both in the religious and in the economic spheres.⁵⁸ One of the reasons for this commotion in the world of ideas was the fact that the leadership class, both secular and religious, widened the gap between the people and themselves. Their own needs, which they actively pursued, were not in consonance with those of their followers. This was particularly true of the religious elements in society.⁵⁹ This widening rift is reflected in Sefer Hasidim.

In the book, the intellectual and religious leadership occupy a place of importance in the society. Many sections relate, as will be seen, the importance of the teacher and his work. The scribes occupy some of the best seats in the synagogues. The uncultured are mentioned many times in the book with frequent injunctions to see that they get enough to eat, but never at the expense of a learned man, whose care usually takes priority. But the German Hasidim have many other things to say about the religious leadership.

The main activity of this intellectual leadership was the study of Talmud.⁶⁰ In the book, these men are labeled- pilpulists. It is quite clear the Sefer Hasidim does not look favorably on their activities. One section advises one with sufficient money not to con-

tribute to the building of a synagogue or an academy. Rather let him give the money to worthy people who truly devote themselves to sacred study. One should not give to those who labor all day to find Talmudic contradictions so that everyone will marvel at their intellectual dexterity. These men are not to be considered the real devotees of learning. For they do nothing but ferret out contradictions in order to flaunt their cleverness. One should rather support those God fearing people who study with a purpose in mind; that is those who study in order to fulfil the sacred commandments. Another section advises readers that the good men of a town should serve as its judges, even if certain evil men are more learned in the law. Simply because a man is good in pilpul does not mean that he is able to judge, on the contrary, pilpul usually turns everything around making the good seem bad and vice-versa. The reader is cautioned to be very leery of a pilpulist, for along with certain Christian priests, their activities are often suspect. Thus one should be very reticent to let his son study with a pilpulist. One section tells of two brothers, one of whom the father could send to a student teacher while the other would have to work. One son was acute, but a pilpulist. The other was not as acute, but he was not a pilpulist. The father sent the son

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who was not a pilpulist even though he was not as smart.⁶⁴
in sections like the above, Judan is telling the reader that pilpulism is an extravagant and often damaging waste of time. His condemnation of the intellectual leadership does not stop with the pilpulists.

When a lesson is taught in the Sefer Hasidim, it is usually placed in the mouth of a sage. Thus when a sage approves or disapproves of an individual or a situation, it is a good bet that the authors of the book are expressing their own beliefs. Once, a section relates, a sage entered the house of a scribe and saw many things of which he disapproved. For example, the scribe let the head of his pen rest on the ground, he was advised by the sage that a pen that wrote holy words should never be allowed to rest on the ground. On further examination the sage found that the scribe was adding to the holy text, and he was admonished never to add or to subtract from what is written.⁶⁵ Another section shows a man with money asking how to put it to the best use. A sage tells not to give it to a scribe for such men pervert the words of the Torah. Rather he is advised to give the money to the poor who lack the means to buy their own clothing.⁶⁶ In another instance the reader is told that the scribes are so inadequate in their sacred task that it would be better to let

a left handed person copy the Torah, or even a woman.⁶⁸
In one section, Sefer Hasidim lauds the great sages of yesteryear because, among other things, they never signed their works. They did not chase after the false god of personal honor. These sages are contrasted with the scribes of medieval Germany who append their signatures to the work that they do.⁶⁹ One story tells of a sage who visited a certain town. The people of this community wanted to show their respect to this sage so they offered him the choicest seat in their synagogue. When the sage found out that this seat was that of the leading scribe in town, he refused to occupy it. The sage even refused to use the prayerbook⁷⁰ because it had been penned by the same scribe.

It is evident that the Sefer Hasidim takes a dim outlook on the intellectual leadership of the German Jewish Community. It has, however, a distinct reverence for learning, but not the activities of the scholar class in medieval Germany. The authors of the book are not for study simply for the sake of study. The reader is told that everyone who learns the Torah and does not fulfil it is worse than one who neither knows⁷¹ it or practices it, and his punishment will be worse. One section tells of a certain scholar to whom the uncultured listened, but to whom the other scholars did

not. This scholar was asked with whom he would rather be with and he replied: "whether dead or alive I would rather be with one who listens to good advice." Implicitly this section tells the reader that an ignorant person who follows the right people is better than a scholar who does not.⁷² In like manner, the Sefer Hasidim advises that it is better for a man to associate with an uncultured person who is benevolent than with a scholar who is a miser or a hot tempered person.⁷³ Also, an uncultured person who fears Heaven is to be preferred over a scholar who does not.⁷⁴ Another section tells of scholars who are much more evil in their actions than the uncultured.⁷⁵ It would be fallacious to conclude that ignorance becomes an ideal of sorts in the Sefer Hasidim. There are a plethora of sections which make it clear that this is not so. Some tell the reader that one's teacher takes precedence over one's own parents. This thought, like so many others in the book, is usually conveyed in the form of parables. For example, it is supposed that a house on fire contains the parents and the teachers. The latter are to be saved first. For reasons which will be explained, the ideology of Sefer Hasidim cuts across the social, political, economic, and intellectual class lines of the medieval Jewish Community.⁷⁷

The Sefer Hasidim is cool to the various inherited aristocracies, but the priesthood and the levites are taken to task the way in which the pilpulists and the scribes are. This seems to suggest that they did not play an important part in the affairs of the Jewish Community. It is also possible that the leaders of the German Hasidim had something in common with these old guard elements of society. ⁷⁸ One section indicates that the priestly roles in the synagogue were not crucial. Again the lesson is taught in the form of a parable. In a synagogue certain wrongdoers had gained the upper hand and had managed to monopolize the honor of binding the Torah. They gave considerable amounts to charity in return for this honor, but they refused to let others do it, using the fact that they gave considerable sums to charity. The sages advised them to let these men continue to bind the Torah, because it was not a crucial ⁷⁹ function. To stop them would be like robbing the poor. Another section mentions a priest who was attempting ⁸⁰ to court a woman who was ritually forbidden to him. One section relates an instance in which a priest could not pronounce important parts of the liturgy correctly. It is stated that this priest should not have been allowed to go up to the ark. The same section indicates disapproval with the way the levites showed off their ⁸¹ voices.

Since, according to the Sefer Hasidim, the priests and the levites were not performing their functions properly, and since the intellectual leadership of the synagogues were misusing their powers, it is hardly surprising to find that the book is highly critical of the synagogue. However, Sefer Hasidim recognizes the need for the institution. A section relates that it has been in the synagogues that God has appeared to man since the experience at Sinai.⁸² Another paragraph admonishes the Jewish community to make its synagogue nicer than any Jewish house in town.⁸³ From various citations it is apparent that there were often more than one synagogue in a town.⁸⁴

The authors of our book quarrel not with the intrinsic value of the synagogue, but with its current state. In a section in which is contained a general indictment against the wealthy, it is noted that they were able to chase people out of the synagogues. This is certainly a negative comment on the way in which the synagogue was functioning.⁸⁵ Another section relates that one rich man refused to let others help him in the building of a synagogue, because he wanted his family to receive all of the merit.⁸⁶ In another instance, the Sefer Hasidim reprimands those who occupy the choice seats in the synagogue, and think that by virtue of

their proximity to the ark their prayers will be answered. The same individuals bought up all of the aliyot with bribes, making it impossible for the poor to read from the Torah.⁸⁷

Not only was the synagogue not meeting the spiritual needs of the community, but also, according to the Sefer Hasidim, it was not meeting the material needs of those who have traditionally relied on the synagogue for sustenance. Already noted were various sections admonishing donors not to give to the synagogues, but rather to the poor themselves.⁸⁸ This would indicate that the synagogue was misusing the funds that traditionally went to the poor and to those devoted to the sacred study of Torah. It is hard to imagine a more biting indictment that could be made against the synagogue. The religious institution that had always stood as a symbol of comfort and hope and spiritual enlightenment, had fallen into sad misuse. Controlled by a wealthy element that used it for its own advantage, the synagogue no longer was fulfilling its traditional functions. And because of this, various elements of the community were left out in the cold by the one institution which should have been a source of comfort to them.

The book reflects its negative attitude toward the use of the synagogue with the use of the parable

as a teaching device. The story is told of a hasid⁸⁹ who found that he could not pray properly in the synagogue, for the order of the service kept forcing him to lose his concentration. The service, apparently, was over formalized. In another case, a wise man re-⁹⁰fused to enter a synagogue because of the corruption of some of its leading members.⁹¹ One dramatic story tells of a sage who came to a certain city where there were two synagogues. Initially he went to the more wealthy of the two, and on his next visit entered the poor synagogue to pray. He never again returned to the rich synagogue even though the leadership of the town were among its members. For he found that he could not pray properly in the large synagogue, while⁹² in the synagogue of the poor, he felt right at home.

Because the synagogue was in such disrepair it no longer represented an essential part of Jewish communal life. This, at least, was the viewpoint of the German Hasidim. Thus they admonish donors to give directly to the poor, rather than channeling the funds through the institution of the synagogue.. In like manner, the book clearly states that it is not necessary to pray in the synagogue, in fact, they indicate that one's concentration is often destroyed in the synagogue. One section indicates that a man can pray with

greater devotion at home. Another section lists 7⁹³ reasons that purport to explain why some prayers go unanswered. Conspicuously absent is the commandment to pray, if possible, in the synagogue. The implication⁹⁴ seems clear. In the eyes of the German Hasidim the synagogue was not an essential link in one's communication with God. The rigid orthodoxy of the synagogue interfered with one's concentration. There are many references to the fact that it is silly to pray in a language that one does not understand. The language referred to is Hebrew, a language which the medieval⁹⁵ Jew had long since given up as their vernacular. A fine parable illustrates the book's point about the over formalization. The reader is told about a shepherd who did not know the proper form of the liturgy, but who was able to pray with a great degree of devotion. One day a scholar came by and advised him that he was not praying in the correct fashion. He proceeded to teach this form to the shepherd who then found that his concentration was ruined. Fortunately the scholar dreamed about the shepherd's plight and returned to tell him that it was not necessary to let⁹⁶ the form get in the way of one's concentration. One section tells of a man whose prayers were not answered. The man prayed in his bedroom, which was ritually clean.

A scholar said that the problem was not that he did not pray in a synagogue but rather that the prayerbook he was using was written by an evil scribe. Even though it was ornate and even beautiful, ⁹⁷ it deserved to be burned.

The authors of the Sefer Hasidim make it clear that their quarrel is with the Jewish leadership not with the Christians. In one section the reader is specifically told that the religious institutions were in bad shape because of their own leaders and not because of any restrictive policies on the part of the Christians. ⁹⁸ The many references, already noted, which are highly critical of the activities of the pilpulists and the scribes convey the same message. This fits in with the fact that the Jews were able to govern themselves. Their decrees and decisions were honored by the Christian leadership who were primarily concerned ⁹⁹ with the economic activities of the Jews. It is not surprising to read of the political aspects of the synagogue, for it was an age in which religious institutions were active participants in the political machinations of the day. Bryce, for example, notes that during this period a half of the land and the wealth of the country, and no small part of its military ¹⁰⁰ strength was in the hands of the churchmen.

And Artz notes that the 13th century represented the supreme attempt of the Roman Catholic Church to direct "the whole life of society in all its reaches"¹⁰¹. Within its own limitations, the Jewish religious institution was engaged in the same activity. The Sefer Hasidim certainly indicates that it was.

More than a few students of German medieval history see the Jews being engulfed in wave after wave of persecution during this period.¹⁰² In Sefer Hasidim a seemingly contradictory attitude is expressed toward relationships with the Christian Community. In doing so the book once again presents a realistic picture of the life and times in the 12th and 13th centuries in Germany.

That the Jews conducted business with the Church and its representatives is evident from the many admonitions in the book not to continue these dealings. The reader is told that those who have business contacts with priests will one day lose their wealth. One should have no contact with such priests, business or otherwise.¹⁰³ A section tells the reader that in a locale where a Christian treats meat, the Jews should not buy from him, lest they wind up with ritually impure meat.¹⁰⁴ Another section admonishes the reader not to follow the mores of the surrounding Christian culture. The im-¹⁰⁵

plicit message in the three references is that there was social and economic contact between the Jew and the Christian. The extent of this contact is exemplified by the following sentence from the Sefer Hasidim—"a man should not live in a town whose market day is ¹⁰⁶Saturday". That the business contact took precedence over the observance of the Sabbath is assumed by the authors of the book.

The many warnings in Sefer Hasidim against any religious contact between Jew and Christian are indicative of the extent to which it must have been going on. As will be examined later, many scholars see a great deal of Christian influence in the Sefer Hasidim itself. The book advises the owner of a house standing next to a synagogue not to sell it to a Christian even if ¹⁰⁷he is offered more money by the non Jew. In like manner, a man in a synagogue who is able to see a church through the window, should obstruct the view so that the church ¹⁰⁸will not be visible. One parable tells of a man who, throughout his lifetime, refused even to pass by a church. When he died his funeral carriage had to pass a church in order to reach the cemetery. The horses of the carriage refused to pass near the church. A miracle happened which allowed the hearse to reach the cemetery ¹⁰⁹without passing the church. One section advises the

Jews not to allow the Christians see their dead once they have been placed in their coffins. Also, no Christian should be permitted to see the Torah when it is in the ark. Even a great lord, and their power has been noted, should not be allowed to see the dead or the Torah. One parable tells of a sick Jewess who was visited by a Christian diviner who promised to cure her if the Jewish woman would agree to the use of magic. The Jewess refused, and the authors of the book advise the reader that she made the right decision. An interesting section relates that a Jew once inherited some unspecified Christian books. The book advises that the best thing to do in such circumstances is to burn the material. A story tells of a certain city which was suffering through a terrible drought. All the Christian religious leaders gathered together to see what could be done. They began to pray and to fast but no rain fell. They decided to go to the Jews to ask their help. The Jewish leaders agreed to help as long as the two groups were kept apart, so that each group could pray in the name of its own God. This was done and the rains came. One of the main reasons which the book gives as to why one should separate from the Christian, is that it leads the Jew to idolatry.

The precariousness of the Jew's position in

the 12th and 13th centuries in Germany is felt many times in Sefer Hasidim. One section tells of a Christian leader who forcibly tried to convert a group of Jews by baptizing them. The Jews fled to another group of Christians who offered help but who eventually killed them. The section ends with a quote from the Talmud to the effect that the Jew should keep apart from the ¹¹⁵ Christian. A significant paragraph talks of two thieves. One stole from Jews, the other from Christians. The latter is more reprehensible because his action places the entire Jewish Community in jeopardy. This, because in the eyes of the authors of Sefer Hasidim, the action of the thief who took from the Christians will undercut the goodwill between Jew and Christian. This could, ¹¹⁶ in turn, lead to disastrous results for many Jews. Another section explicitly states that it is better to steal from a Jew than from a Christian, because stealing from the latter could affect the status of the entire ¹¹⁷ Jewish population in the particular town. The book contains an admonition not to lend money to princes because when they will not be able to meet their financial obligation, they may resort to political persecution. ¹¹⁸ As was noted in the opening chapters of this study, this is precisely what often happened when the Christian borrower found that he could not meet his

obligation to the Jewish money lenders. There is the recounting of an incident in which a certain cardinal ordered the Jews to apostasize or face death. When the Jews heard this proclamation they boarded up their houses and left gold on their doorstops. The section reports that the Jews were able to save their lives in this manner. Sefer Hasidim thus gives tacit acknowledgment of the economic roots of the persecution.¹¹⁹ These economic implications are seen in yet another section which relates an incident of forced conversion because of certain princes. Some Jews proposed that a herem be instituted forbidding the Jews from living in that area. But a sage proposed that the decree should last¹²⁰ only as long as the evil princes lived.

It is paradoxical that the framework that caused so much anxiety for certain elements of the Jewish Community, also provided freedom and relative security for other Jews. As will be seen, the message of the Sefer Hasidim was directed at the less fortunate elements. The many references already cited indicate the wide degree of contact that existed between the Christians and the Jews. In one sentence, however, the book conveys the message of the extent to which the Jew was able to immerse himself into German town life. The sentence reads: "in the majority of the towns in which

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Jews and Christians live, their customs are similar". Equally significant is the manner in which the same section ends. The reader is told that more often than not the Christians rule with more thoughtful justice than do the Jews. A picture of the period is contained in this section. Despite sporadic outbreaks of persecution, the Jew's position in medieval Germany was relatively secure. It is becoming clear that Judah and his followers were not happy with the existing framework of the Jewish Community. And since the Jews were granted virtual autonomy in handling their affairs, Judah's quarrel is not with the Christians, but with the Jewish leadership. It is natural that the political text book of the German Hasidim would reflect the political precariousness of the Jew's position, but also in evidence is a positive attitude toward Judeo-Christian relations, where political conditions allow.

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There are many legends concerning Judah which express a positive attitude toward the Christians, as well as showing the easiness with which Judah moved among high Christian leadership. The legends also give one a glimpse into the social, political and religious contact between the two religious groups. One section in Sefer Hasidim, echoing these legends, tells the reader that he must not deal falsely with a y man, even

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a Christian. Another relates that the Jew must be careful in his dealings with apostates because of the possible backlash effect from angered Christians, yet the same paragraph indicates that if there is a place in which the Jews constitute a majority, then more contact is permissible.¹²⁴ One also reads in the book that a Christian can occupy himself in the Torah and its commandments. Various biblical passages are cited to prove this point, passages that link the Torah with man and not with Jew. The section closes with the point that a Christian who does follow the Torah is to be honored more than a Jew who does not.¹²⁵ A parable tells of a man who was walking along a narrow path that was bordered with mud. If someone else began coming in the opposite direction, Christian or Jew, the man would step aside into the mud to allow the other person to pass. For it is better for a man to be delayed than for him to delay his fellow.¹²⁶ One section tells of a Jewish employer who forced his workers to labor until nightfall, the result being that his workers often missed part of the Sabbath service. On the other hand, there was a Christian employer who always made certain that his Jewish employees left on time to make the religious service. A sage remarked that the Christian's family would prosper while that of the Jew's would fall into

disrepute. The book reports that this is what came to
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 pass. Another section admonishes a Jew to deal justly
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 with the Christians with whom he comes into contact.

The Jews are advised by the Sefer Hasidim that it is
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 permissible to pray for good Christians. If Jews and
 Christians make certain conditions to help one another,
 and the Christians fulfill these conditions, then the
 Jews should abide by the agreement. The same section
 advises that one should help the trustworthy Christian
 130
 rather than the deceitful Jew. Baer remarks that con-
 sidering the political situation, the Sefer Hasidim
 goes out of its way to make the point that all men,
 131
 Jew and Christian alike, are entitled to equal justice.

The Jews of Germany had been able to assimilate
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 to a very great degree. The history of the era is
 mirrored in the parables of Sefer Hasidim. The tensions
 that existed in the Christian Community had their counter-
 parts among the Jews. The book clearly shows the
 struggles that were going on in the German Jewish
 Community between the rich and the poor, and the employer
 and the employee, and between the new and old merchants.
 The book consistently takes the side of the underdog.

The Sefer Hasidim was not written in a social
 vacuum. Scholem observes that the German Hasidim were
 "intimately connected with the whole of Jewish life and

the religious interests of the common folk." He feels
that this book, more than any other of the period, mirrors
the Jewish Community as it really was, and in all its
aspects. Baer reasons that the Sefer Hasidim reflects
accurately the life of the German Jewish Community from
the end of the 12th century until the middle of the 13th.

The authors of the Sefer Hasidim were social
and religious reformers, in a sense, medieval prophets.
They did not like the framework of society or the in-
stitutions which professed to meet the needs of the
Jews without doing so. For such institutions as the
synagogue and the academy and the law court were remote
from many elements of Jewish society. This study will
now examine the ideology of the Sefer Hasidim in order
to determine the cures which the German Hasidim offered
to the many social problems of their day.

CHAPTER V

The Sefer Hasidim, as was noted, was not written by one individual. But the book does present a unified message. In Baer's view, the book clearly represents¹ one school's viewpoint. Judah and his followers went from city to city in order to spread this viewpoint,² although the success they achieved is not measurable.³ The movement had a short lived existence, but its spirit generated influence in German Jewish politics for centuries. The reasons for this seeming paradox can be found within the work itself.

The authors of the book believed that Jewish law, be it Biblical or Talmudic, was halakha from Moses on Mount Sinai. One section clearly informs the reader that in this respect no distinction should be made between the two.⁴ But while the authors make no such distinction, they also exhibit distinct preferences. One parable tells of a hasid who refused to put the Written Law in the same ark with the Oral Law. His stated reason was that the Torah is holier than the Talmud and should be kept apart from it.⁵ Another instance tells of a hasid's insistence on putting the Talmud on top of the Torah. Iest the reader con-

clude that this gives pre-eminence to the Talmud, the hasid soon states his reason. He is using the Talmud to protect the Torah.

It has been seen that the main intellectual activity of Judah's day was the study of the Talmud. It was not of a creative nature, and was conducted with zeal only by a group who are referred to in the Sefer Hasidim as pilpulists. The German Hasidim could hardly have proposed doing away with the Talmud, on the contrary, they recognize the Talmud as a canonical work. Baer notes that the Sefer Hasidim did not want to take the Talmud out of the mainstream of the traditional Judaism of their day.⁶ The book is full of Talmudic knowledge and lore.

Judah's quarrel with the Talmud is twofold. In the first place, he and his followers did want to retain the Talmud, but not as the main ideologic base of Judaism. In the second place, they were clearly against the way the Oral Law was being used by the pilpulists. It is not that the Sefer Hasidim does not stress the value of religious study, indeed, it places such study above all worldly pursuit.⁷ Very often the book sets a scene in which a house catches fire with various objects inside, and by listing the order in which they are to be taken out, certain important points

are made. One instance tells of books and money being burned, and the reader is admonished to rescue the books first. Human life takes precedence over both of the above. The same section implies that a student's teacher is to be saved before one's father. In the less dramatic situation of whom at the honored position at the dinner table, it is clear that the teacher takes precedence.⁸ Learning is listed as one of the three greatest virtues, along with reverence and acts of civic virtue.⁹ The point that Sefer Hasidim is making is that study must not be glorified to the extent that it places one outside the world of the senses.¹⁰ Study is crucial in the sense that it should lead one to ethical pursuits. Thus Judan sees little value in spending one's time in an effort to determine when the Messiah is going to come. He calls such people who engage in this activity diviners and sorcerers.¹¹ One section advises that one who learns the Torah and does not fulfill it is worse than one who does not know it, or fulfills it, and his punishment will be worse.¹² At fault is not the Talmud or the honored discipline of learning, but rather the methodology of the intellectual leadership. The Sefer Hasidim advocates a return to the remez in place of the perush which was then being used by the pilpulists. The remez was the main teaching

device of the hasidim na-rishonim. In a sense, the Sefer Hasidim is one remez after another, and this is indicative not only of its quarrel with the pilpulists, but also of that segment of society to which the message¹³ of the book was aimed.

While it is not entirely clear as to the specific ideals of the German hasid, certain traits can be ruled out. The hasid, as personified by Sefer Hasidim was not an ascete or a humble mystic in spite of the many efforts¹⁴ to picture him as such. Judah and his followers were no more ascetic than¹⁴ were the ancient Israelite prophets who railed against the social inequities of their day.

Scholem notes that although Judah was a religious and social innovator, not one new halakha can be traced¹⁵ to him. This, in spite of the fact that his father and grandfather were great halakhists, and Judah's family had a long tradition of Talmudic expertise. Certain legends clearly show that Judah often gave advice that¹⁶ demanded strict conformity with traditional law. It is quite clear, however, that halakha is not the be-all and end-all of the Sefer Hasidim. A new touchstone takes its place. And when the halakha comes into conflict with it, it gives way.¹⁷ Once again, the Sefer Hasidim makes its point with the use of parables.

One such parable tells of three different people who came to a sage with the same question as to whether they should hold on to some money that they wanted to give to the poor until they found a worthy poor person. To each one the sage gave a different answer. When asked why, he replied that each case was unique and therefore required different advice.¹⁸ Another story tells of a hasid who was walking along a road without the characteristic garment of the Jew. It seems that he refused to wear this because of the violation of ritual law. The Christians detained, and after much effort and a great deal of money, a righteous Jew was able to ransom him. This Jew reprimanded the hasid for not wearing the proper garment even though it would have violated Jewish law.¹⁹ The Sefer Hasidim is against an orthodox interpretation of the law. The law must be flexible enough to deal with the situation. The book feels that Jewish law is quite flexible enough to do this, but the pilpulists were not.²⁰ For they spend their time on language analysis while pressing social problems are ignored. Thus one section advises that one of the worst things a man can do to another is to ask a question of halakha which he knows the other cannot answer. Such a person will eventually get his punishment from Heaven.²¹ A sage advises that it is better to eat non-Kosher food

than to swear falsely and perpetuate the social inequalities of Judah's day.²² In like manner a sage advises that it is good for a man to pray in the language he understands. Such a person is better than one who prays in Hebrew and does not understand. The proper concentration is more crucial than whether one does or does not pray in Hebrew. Thus the section relates that the Talmud was written in Aramaic so that the people could understand the commandments, even the uncultured and unlettered.²³ In one section a sage advises one to go against the Torah law for it comes into conflict with his new touchstone, which is accessible to both Jew and Christian.²⁴

Baer notes that the Sefer Hasidim wanted this touchstone, which is akin to natural law, to be instilled into the life of the individual and the community. He adds that when the halakha came into conflict with this,²⁵ the latter gave way. The view that the standards to which the German Hasidim conformed were determined by dreams or various mystical stimuli has been a popular notion, but it is difficult to see how it can be maintained.²⁶ The stimuli that shaped and fashioned the Sefer Hasidim were the material and spiritual considerations of the day.

In the eyes of the authors of the Sefer Hasidim

the German Jewish Community of the 12th and 13th centuries was a corrupt one. They did not like the way society was structured. The rich were exploiting the economy for their own benefit. The poor and those other elements of society which were negatively affected by the growing use of money in the towns, often had no place to turn. The synagogues, as has been noted, were controlled by the rich. The law courts were presided over by pilpulists who seemed more intent in ferreting out contradictions than in seeing that justice was done. Many attacks against the wealthy are contained in the Sefer Hasidim. It would, however, be a mistake to attribute to the authors of the Sefer Hasidim the view that wealth is necessarily a sign of evil. The leaders of the German Hasidim were from rich and influential families. The point that the book makes is that the majority of the rich in Judah's day were evil. The German Hasidim supported the poor even though the hasid was, like Judah himself, a member of the upper class. In a society in which there was little hope and comfort for the poor, the Sefer Hasidim holds out consolation and the promise of dignity.

In a message that is reminiscent of that of Jesus, the Sefer Hasidim spells out a vision which includes a better future for the neglected elements of

society. Avirtue is made out of the necessity of suffering, and the poor are told that their reward will come in paradise. One section states that the righteous suffer in this world so that they can get the full benefit of their meritorious deeds in the world to come. This same paragraph relates that it is in this³¹ heaven that God will right the scales of justice. But the Sefer Hasidim quickly distinguishes between certain types of suffering lest the reader think that all worldly suffering is a sign of merit. The reader is told that, in fact, some do suffer because they deserve it. But others suffer as Job suffered, and this is a mark of their righteousness, and will thus pay dividends in the world to come. On Rosh Ha-Shanna the angels plead with God to inflict the latter type of suffering on the righteous. Since God often does so, people who are³² living in luxury had better be beware. The answer to the dilemma of theodicy that Sefer Hasidim offers is very much in keeping with Talmudic tradition. In fact, in the above section the authors prove their point with a story from Kiddushin.³³ There the evil are compared to a tree standing wholly in a place of uncleanness, with a branch overhanging in a place of cleanliness. When the bough is cut off, it stands entirely in a place of uncleanness. Thus God makes them prosper

in this world in order to make them suffer in the world to come. The righteous are compared to a tree standing wholly in a place of cleanliness, but with a bough overhanging in a place of uncleanness. When the bough is cut off, it stands entirely in a place of cleanliness. Thus God brings suffering upon the righteous.

In the Sefer Hasidim the rich are given very little chance of receiving a place in paradise. It was the feeling of the German Hasidim that their society was being run by the rich in an unjust fashion. Their's was a community in which the burden of the poor was very heavy.³⁴ The rich could help the poor if they so desired, but according to the Sefer Hasidim, they make very little effort to do so. The book demands not only charity for the poor, but like Maimonides, it must be the proper type of help. That philosopher's highest degree of charity demands that he who aids the poor should do so by making it possible for that man to support himself. The manner in which the Sefer Hasidim describes the activity of the rich, their charitable work corresponds to Maimonides' last degree of charity—they give inadequately, and they do so with bad manners. In a sense the book goes one step beyond Maimonides in demanding dignity for the poor. Explaining the reason for the tithing system in the Bible, the book concludes that

it forced both rich and poor to give, and in an instance
 in which the priest was wealthy, the poor gave to the
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 rich.

It is reasonable to suppose that the wealthy of
 Judan's Germany were not overly receptive to the message
 contained in the Sefer Hasidim. In the discussion that
 takes place on charity there is yet another instance
 in which the message of the book is aimed at a low
 cultural tradition. The leaders of the German Hasidim
 were seeking support from those elements of society
 which were being adversely affected by the growing use
 of money in the burgeoning towns. But the book does
 not appeal only to the poor, or to the ignorant. As
 will be seen, the ideology of the Sefer Hasidim cuts
 across all class distinctions.

Already noted was the fact that in some cases
 an uncultured person is to be preferred over a sage.
 36
 In some cases it is better to associate with the un-
 learned because study, in the Sefer Hasidim is not
 37
 viewed as an end in itself. It is not that the book is
 38
 anti-learning, for the right kind of study is placed
 39
 above all worldly pursuit. Study must bring one rev-
 erence for God. And revering the Lord as defined by
 40
 the Sefer Hasidim encompasses ethical action.

The same pattern emerges in this regard in the

book that was noted in the examples of wealth and the synagogue. The book never states that wealth is intrinsically evil, only that the monied classes were misusing their wealth. In like manner the Sefer Hasidim often denounces the synagogue, but never because the synagogue is viewed as a destructive institution. On the contrary, Judan's quarrel is not with the synagogue qua synagogue, but with the Jewish leadership who made of the synagogue something antithetical to what the religious institution should be. So here, the Sefer Hasidim is not against the Talmud, but the way in which the Oral Law was being used by the pilpulists. He blames such people for the rigid orthodoxy of the day which made the performance of the commandments virtually impossible for the poor. The pilpulists are not, according to Sefer Hasidim, the real devotees of learning. Thus one should give directly to worthy people who are studying the Law rather than for the building of a synagogue or an academy,⁴¹ for such institutions were not functioning properly. The pilpulists controlled the academies, and according to the German Hasidim, their learning was making a mockery of the truth.⁴² There is the added admonition in Sefer Hasidim not to let one's son study with a pilpulist.⁴³

In the case of the pilpulists, the authors of the Sefer Hasidim, often accuse them of interpreting

the law in too strict a fashion. In the case of the scribes, the charge is frequently just the opposite.⁴⁴ They are often accused of making ritual mistakes. They are also accused of making fancy, but ritually unclean prayerbooks which a true sage refuses to use.⁴⁵ Added to this is the complaint that they seek self aggrandizement by signing their own works.⁴⁶ The remedy that the Sefer Hasidim offers is simple but revolutionary: Displace the pilpulists and the scribes with others who are better equipped to do those sacred tasks.⁴⁷

The Sefer Hasidim attempts to channel the funds that were pouring into the institutions away from them in order to bring about an eventual leadership change. One section advises giving one's money to the poor rather than to the scribes.⁴⁸ A section noted above explicitly states that a donor should give his contribution directly to those worthy people who devote themselves to sacred study rather than to the synagogue or to the academy.⁴⁹ Such institutions as the academy and the synagogue should ideally receive top priority, but in the opinion of the German Hasidim, they were no longer performing their honored functions. The synagogues were catering to the wealthy and to a large extent, ignoring the needs of the poor. The academies were devoted to the study of pilpul, an unproductive discipline. Thus

one section advises that if a certain town lacks both a synagogue and a hostel for the poor, the latter takes
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priority.

The Sefer Hasidim draws a picture of medieval Jewish life in Germany which is filled with inequities. Many poor go hungry while wealthy elements increase the size of their own coffers. The synagogues no longer offer comfort to a large segment of society. The scholars of the academy are far removed from the people. And the scribes do fancy but irreligious work.

The many privileges, communal and national, which were granted by the Christian authorities to the Jews contained certain important prerogatives. Not the least important of them was the right of self-government. As was previously noted the Jews were allowed to run their own religious and secular institutions. Thus the Sefer Hasidim does not take issue with the Christian
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but with its own Jewish leadership. Indeed, considering the political precariousness of the Jewish position, the Sefer Hasidim is slanted very much in favor of just secular dealings with the surrounding Christian communities. It was noted that the Jews assimilated into general German life to the extent that the customs of
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Jew and Christian were, in most cases, similar. The reader is told that God is concerned to see that the

⁵³
 Jew and the Christian relate in justice, and that a
⁵⁴
 good Christian is better than a deceitful Jew. At one
⁵⁵
 point in the book, there is the suggestion made that
 if these inequities continue, those disenchanted ele-
 ments of the German Jewish Community should go directly
 to the Christian leadership for help in getting rid of
 their own. The implications of this are deep and far
 reaching. It places the authors of the Sefer Hasidim
 in the midst of the political activities of their day.
 It places them in a struggle for leadership of the
 Jewish Community, a struggle which they eventually
 lost for reasons that will be examined. The leaders
 of the German Hasidim did not denounce the synagogue,
 but its leaders; not the academy, but its masters; not
 the law courts, but its judges; and certainly not
 Judaism, but the way in which the leadership-the pil-
 pulists and the scribes-were conveying the tradition
 to the people. Mystical or not mystical, it would be
 a mistake to place the German Hasidim outside the do-
 main of Judaism.

The Sefer Hasidim has long been thought of as
 a mystical work. There are certainly many mystical
 and even superstitious elements in the book. Time
 after time in Sefer Hasidim the reader is presented
 with accounts of communication between the dead and the

living. Implicit in many of the arguments brought forward by the German Hasidim is the assumption that magic works. However, these elements can only properly be understood if it is remembered that the basic message of the book is aimed at a low cultural tradition. With this in mind, the superstitious elements of Sefer Hasidim take on an added complexion.

Trachtenberg and Scholem have pointed out that the mystical elements have always played an important role in the growth and development of Judaism.⁵⁶ The mystical influence has often kept Rabbinism from being devoid of the awe and wonder essential to the religious spirit, and mystic thought has rarely been absent at any period of Jewish history.⁵⁷ Judah's family, the Kalonymides combined both Talmudic and mystical elements in its rich history.⁵⁸ One cannot simply pass off the mystical tradition as superstitious nonsense, in fact, upon closer examination, the mystical and superstitious elements in Sefer Hasidim have a distinctly practical aspect about them.⁵⁹ The superstition and magic of the German Hasidic Movement are filled with religious meaning.⁶⁰

Many parts of the Sefer Hasidim relate tales of the dead communicating with the living. One tells of a man who fashioned a harp out of some wood that

had been left over from a coffin. He was advised not to do so, but he was unafraid and proceeded to make the harp. The man who had been buried in the coffin appeared to him, warning him not to play the harp, but again he was unafraid. But as soon as he began playing the harp he became very sick. His son smashed the harp, taking the wood and placing it on the coffin. His father was cured.⁶¹ On the surface the above parable appears to be

a product of the superstitious imagination. But it must be remembered to whom the Sefer Hasidim was addressing its message, and the book's own warning that its teaching was to be conveyed by the use of stories. In the parable just noted, a dead man appears to right a wrong.

To Judan's audience, such happenings were frequent. They were being manhandled by the leadership, and Judan, in parables such as these, holds out the hope of redress for the many wrongs committed against them.⁶²

One interesting parable relates that a Christian once passed a Jewish cemetery on the Sabbath and saw a Jew sitting at a table reading. The reader is informed that souls have tables and books with which to study, just as they did when they were alive.⁶³ The message contained is a crucial one. For in this parable the reader is told one of the few facts that Sefer Hasidim gives about life after death. We are told that one's

activity in this life determines one's position in paradise. It is a stern warning to those who do not study, who are not charitable, and who are misusing their wealth and power. It contains comfort for Judan's audience, but also a warning to the Jewish leadership.⁶⁴ Also Sefer Hasidim holds that one can extricate himself from evil spells and influences by good deeds.⁶⁵ One section relates that a sage was buried next to an evil man. The sage came back in a dream and complained about the situation. The people of the town then placed stones between the two graves.⁶⁶ The message fits in well with what was noted before--better days are in store for the disenchanted because they deserve a better fate than their present one.

There are magical elements in the Sefer Hasidim, but in Judan's words: "...one should not believe in superstition but still it is better to be heedful of them."⁶⁷ The same section tells the reader that truth is not to be found in dreams because it is not that easily obtained. One should not relate dreams to anyone but a truly religious person and a sage. The existence of magic is not questioned, but it is placed under very rational control.⁶⁸ Baer notes that the paradigm of the basid as presented in Sefer Hasidim is well versed in Talmud and halakhic tradition, but with an additional

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mystical element which turns out to be very practical.

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The Sefer Hasidim is not a theoretical mystical tract extolling the virtues of beatific visions. It has already been noted that it is a valid historical document depicting the life and times of the medieval German Jewish Community. And it has been pointed out that the message of the Sefer Hasidim was aimed at a low cultural tradition. To a large degree these two factors explain the superstitious qualities of the book. Baer notes that the Sefer Hasidim, in both form and content, was strongly influenced by Christian literature of the day.⁷⁰ And like certain Cabalists in Spain, Judah and his followers were not absorbed solely in mystical

thought. Their mysticism was a jumping off point to vigorous social criticism and involvement.⁷¹ In Spain, the message of the Cabalists was, as in Judah's case, aimed at a low cultural tradition. In part this would explain some of the similarities in their ideologies.

In sum, Judah if he is to be considered a mystic,⁷² must be designated as a very practical one. For his great ideals are reverence, learning, and acts of civic virtue,⁷³ and these cannot be achieved through magic or through mystical calculations, but through the performance of the commandments.

Repentance, for example, consists not of a

beatific vision or in some sort of mystical contemplation, but rather in the muscle of ethical action. Four categories of repentance are listed and each involves moral discipline. In the first case the individual refrains from the sin even though it is within his power to do it. In the second, strict self-restraints are voluntarily placed on the individual. In the third, a man, knowing, that he could not refrain from the sinful act if the opportunity arose, keeps apart from the conditions which induced the sin. In the fourth, the man suffers according to the amount of pleasure derived from the sinful act.⁷⁴

Again it is evident that Judah's argument is not with the mitzvot system as such, but with the society that made it impossible for some of its members to perform these commandments. The Sefer Hasidim holds that the performance of these sacraments brings a man salvation. The book is firmly within the framework of Judaism. If anything, the claim of the book is that it represents Judaism as it should be. For the leadership of the day were misusing and perverting Judaism. Christian influence or no, positive attitude toward the Christians notwithstanding, the Sefer Hasidim not a deviant form of the Judaism of its day, but rather an authentic attempt to improve the religion of Abraham,

Issac, and Jacob.

As Baer notes, the Sefer Hasidim is not against the performance of the commandments. One section of the book clearly indicates the attitude of the German Hasidim. The reader is told that a man who desires with all his being to perform the commandments, but was unable to do so because of his obligations, brings merit not only to himself, but to the general public. And a poor man who still manages to do the commandments, others receive merit from his actions, and his reward is doubled in the world to come. For Judah, the commandments ensure a place for man in paradise, and since the theology of the Sefer Hasidim makes it very clear that God, not fate, rules, the mitzvot system works. For one should not, according to the German Hasidim, say that the world rests on and is determined by fate. God foresees and orders everything. When the righteous suffer it is for their eventual benefit. The evil-doers who prosper will one day face their Judge, and their seed will also suffer. And since the living effect the dead, as well as vice-versa, they will not go unpunished.

Thus the traditional system of sacraments works, and all of the commandments are equal, a man cannot know the reward that they bring. But a man can know

the punishment for not doing one of the sacraments.⁸⁰
 And not only does an individual suffer by virtue of an
 evil act, one's friend suffers if the latter could
 have prevented the act.⁸¹ The Sefer Hasidim claims that
 the ultra-orthodox were the ones responsible for de-
 stroying the mitzvot system. The German Hasidim be-
 lieved that when something is made overly stringent,⁸²
 it prevents a man from performing the commandments.
 Here, as elsewhere, the Sefer Hasidim is pointing to the
 inequities in the society of medieval Germany. Here
 it is the question of commandments, in other cases, the
 synagogue, or the law courts and the laying of oaths,
 or the academies, or the practice of magic, but always
 the message is the same: the leadership is misusing its
 prerogatives at the expense of the general welfare of
 society. That the authors of the Sefer Hasidim knew
 the value and function of the commandments is evident
 from a comment to the effect that all leaders since
 Moses have needed these sacraments to control the people.
 The leaders of the German Hasidim were seeking to continue
 the same institutions, they were not trying to destroy
 them. The one change they wanted to make was to place
 a new leadership over these institutions. That new
 leadership, of course, was to come from their own group.
 And as Judah and his followers did not oppose

the age old institutions, the central ideas of Judaism are preserved in the German Hasidic Movement. God is omnipotent and omniscient; the problem of theodicy is solved by positing the world to come, and the primacy of ethical action is exalted above all other religious virtues. It is in this paradise that God will make good on all of his promises. But in order to achieve this paradise one must perform the commandments. If one does otherwise his soul is exposed to the fires of ⁸³ gehennim. In the world to come, be it good or bad, all accounts are settled and the scales of justice are ⁸⁴ balanced. In this paradise all the inequities which ⁸⁵ the German Hasidim point to will be righted. Drawing upon Biblical tradition the Sefer Hasidim attempts to explain suffering by using the concept of collective responsibility. Thus a son may be suffering in this world to right the wrongs done by his father or a neighbor, or in its most general sense, each Jew becomes responsible for his fellow's actions. And finally, Judan teaches that at times the just suffer in this world so that God can give them a greater reward in the world to come. In like manner, the wicked sometimes prosper so that all of their merit will be used up; they ⁸⁶ will have no share in paradise.

But somehow the Sefer Hasidim never attempts to

describe this paradise which seemingly occupies an important part of its message. Once again the nature of the audience must be kept in mind. It is to a low cultural tradition that Judan was aiming the bulk of his message in an attempt to elicit their support. The parables and the many accusations made against the upper class should be grouped together, along with the positing of the world to come, as sincere devices to transmit his ideology to the masses.

The picture drawn of Jewish communal life in the 12th and 13th centuries in Germany is not a pleasant one. The inequities that the Sefer Hasidim points out are legion, but the book never becomes an apocalyptic one. In fact the Sefer Hasidim advises one who sees a man predicting the coming of the Messiah to realize that such a person is a diviner and a sorcerer, and is not to be trusted. For according to the German Hasidim,⁸⁷ "a man cannot know when the Messiah will come". The eschatology in the Sefer Hasidim fulfills the purpose of holding out hope for those elements of society that were in dire straits. Thus one of the constant themes of the book is that there will be a place for the poor and the unlearned in paradise.⁸⁸ The fact that the authors of the Sefer Hasidim spend no time speculating on the arrival of the Messiah, and even caution against doing

so, indicates that conditions were not ripe for such an ideology. In fact, not one apocalypse was written during this period, and although Scholem finds this "remarkable", it seems clear that the general condition of the Jewish Community was good. This conclusion fits the picture that was drawn in the first sections of this paper. There were certainly discontented elements, but this is true of the United States today. This discontent was heightened by the deep changes that were taking place in the socio-economic framework of Germany, due, in part to the rise of the towns and the increased use of money. The relationship of the German Hasidic Movement to these changes will be discussed in the concluding section of this study.

Bryce notes that the Christian Church was a political and military force to be concerned with in the 12th and 13th centuries.⁹⁰ The Sefer Hasidim indicates that the religious institutions of the Jewish Community were no less political. There is a constant tension in the book, when the synagogue and the academy are being discussed, between what they should be and what they have become. But the Sefer Hasidim never calls for their abolition, only for their reform.⁹¹ The diatribes found in the book are directed not against the institutions, but against the men who were at their

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needs.

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The same tension exists in regard to the Oral Law. The Sefer Hasidim quotes the Talmud extensively, and the authors show a great knowledge of it. As was noted, Judah's father and grandfather were great halakhists, and his greatest disciple, Eleazer of Worms was a renowned Talmudist. There is no reason for us to suppose otherwise about Judah. He is not for the abandonment of the Talmud, his quarrel is with the pilpulists. On one occasion the Sefer Hasidim groups the pilpulists with types of Christian priests who are not to be trusted.⁹³ On another occasion the book states that the pilpulists are not the true devotees of learning for they the most essential of all the virtues- reverence for God. Their pseudo clever arguments make truth seem false and vice-versa.⁹⁴ The Sefer Hasidim does shift the emphasis from the Talmud to the Torah, but the former occupies a crucial place in the Judaism of the German Hasidim.⁹⁵ The authors of the book make much greater use of the Talmud to buttress their ideological claims than of the Written Law.⁹⁶

The Sefer Hasidim presents the reader with a vivid picture of Jewish life in medieval Germany. It shows the precariousness of the Jewish position, but it also takes note of the relative security. The people

to whom the message of the Sefer Hasidim was aimed felt more of the danger and less of the security. To these people the German Hasidic Movement offered comfort and some very practical solutions. Although charity receives great emphasis, one section advises that a person must not endanger his life in order to give charity or even to do a righteous deed. In an age when⁹⁷ sporadic persecutions made martyrdom a not uncommon event, the Sefer Hasidim counsels that the Torah is to live for and not to die for. Carrying this thought one step further, one section relates that the malakha is never given in the name of someone who gave up his life for the Torah. For all of the religious separatism⁹⁸ that the Sefer Hasidim advocates, the book is careful to note that one must not be overly zealous in this regard. The authors give an example of a Jew who refused to enter a Church even to save the life of another Jew. He is reprimanded for this, and the book notes that⁹⁹ a truly religious Jew would have entered the Church. With the same emphasis on life and the living the book gives a parable about an old righteous Jew who wanted to give his prayer shawl to a poor person before he died. Some counseled him to keep it so that he could be buried in it, but the man reasoned that after death he would be reciting no benedictions, while a man yet

alive could put it to good use. This was especially
 true since he was too poor to buy a prayer shawl. One
 section notes that a person should be very careful about
 saving a heavy man from drowning, because of the danger
 to one's own life. In like manner, the book teaches
 that one should not forsake his own interests for those
 of his fellowmen, for while the Toran teaches one to
 "love thy neighbor as thyself", it does not say more
 than oneself. A common theme throughout the book is
 the injunction to be practical enough to let the situa-
 tion determine the action.

The message of the Sefer Hasidim cuts across all
 class lines for it is the ideology of a movement that
 was trying to attain power. But the main thrust of
 the message is aimed at the poor and the unlearned, and
 it is to these people that the book offers an eternity
 of comfort in the world to come. A poor man who tries
 but cannot perform all of the commandments becomes the
 ideal paradigm. It is such men who will one day receive
 their just rewards.

In the light of the above, the central ideas of
 the Sefer Hasidim become even more remarkable. Above
 all else, the book advocates the intrinsic value of the
 ethical life, and it does this even though the movement
 was desperately seeking added support. And it does

this in a society where it would have been more practical to indicate that the end justifies the means. It never does this. The book pictures man as being neither all good or bad, and it depicts a God who could turn everyone into righteous people if He so desired, but Who would rather let man choose his own path. A man's life is a series of tests, and the book leaves no doubt that man's salvation depends on the outcome. The practical implications of the constant emphasis on "revering the Lord" are many, but in the main it is that it must lead to acts of civic virtue; there can be no reverence without the latter. Such concerns as fear of punishment and what the world will think rank a distant second and third to this reverence. One should perform a commandment or refrain from sinning not because of reward or punishment, but because of the intrinsic worth of the ethical commandments. It is this that comes to be equated with "revering the Lord". In the face of a society fraught with inequalities the Sefer Hasidim holds for justice for its own sake. The world to come solves the problem of theodicy on a philosophic level, but the real solution offered by the book is goodness for its own sake. The Sefer Hasidim channels the eventual judgment day in which the poor will receive their due by using the Pharasaic device of the commandments.

And these commandments demand the ethical life. It was not a radically different message than that offered by the Talmudists. Each took from the traditional tree of Judaism, but each gave their own colorations, their own emphasis. The Sefer Hasidim sought to bring the institutions closer to the people by taking them over themselves. Striking out against the pilpulists who seemed to advocate study for its own sake, the Sefer Hasidim tells one that an individual should not learn any Torah unless it bring him reverence for God. But finally, the messages of the two groups coalesce into one- "all who honor the Torah, will in turn be honored".

The German Hasidim do propose major changes, but they do it within the framework of the "traditional" Judaism of the day. Thus the attacks on the existing institutions of the day were far from theoretical, in effect, they constitute a political platform of a party that is seeking to gain control of the society. They did not succeed. It is difficult to pinpoint the reasons that would explain their failure, but some conclusions can be drawn. The last section will attempt to explain the inability of the German Hasidim to transform their noble ideology into a popular, mass movement.

CHAPTER VI

The Sefer Hasidim has a timely quality about it. It mirrors the society of medieval Germany and produces a picture that is in consonance with historical chronicles of the day. As has been noted, that period in German history witnessed a rapid growth of towns and the concomitant rise in the use of money. Even as the feudal institutions reached the apex of their power, economic changes were taking place which, in a century's time, were to undermine the feudal structure. The Jews, living in the towns and participating these new economic ventures, often found themselves caught in the middle of the different Christian groups who fought for control of the towns.¹

It has been noted that the ideology of the Sefer Hasidim was aimed at those elements of the Jewish Community who were adversely affected by the activities of the Jewish usurers. Baer reasons that there are, therefore, no capitalistic tendencies in the Sefer Hasidim.² In a sense this is quite correct, for capitalism had not yet come to Germany. But the beginnings were evident and the Sefer Hasidim takes note of them. Time after time the authors rail against the new money lending activities of the Jews.³ These are, of course,

those elements of Jewish society who were running the institutions, and in the eyes of the German Hasidim, manhandling the people in the process. In addition to this there are elements in the book which are highly critical of town life in general.⁴ There is also a kind of nostalgia in the book which calls for a return to the "good old days", when man lived in a natural state. This natural state is delineated as being a state in which man is tied to the soil, the land being equally shared by all.⁵ This represents nothing more than an enlightened form of feudalism.

Such a social framework, however, was on its way out in Germany. The tide was running against those elements of society which tried to impede the social and economic changes. Thus it is not surprising to see that the Papacy and the great feudal lords were also violently opposed to the practice of usury. For they had much to lose by the growing wealth of the towns. Great changes do not, of course, take place overnight. Thus the feudal and Papal institutions were, for long periods of time, able to effect successful holding actions. Finding that they could not eradicate the towns, they sought to control them. It was in Judah's life time that they achieved their greatest success. It was during this period that they were able to exert

their greatest influence.

And it was at this time that the German Hasidim burgeoned and flowered. But the growth of the movement was short lived. After Judah's death, Eleazer of Worms served as the great redactor of the Hasidim. After his death, however, the German Hasidic Movement was not able to exert any political influence. The major occupation of the Jew in the 15th century was money lending, and as these elements gained in power, the power and prestige of the Hasidim waned.

It was not the religious philosophy of the Sefer Hasidim which defeated it, it was the historical situation. Judah's philosophy is liberal enough. The evidence, however, indicates that the upper class elements who supported Judah were reactionaries. Their interests coincided with those of the Church and the feudal lords in the Christian community. It is not a perfect analogy because the Jews were a minority group, and at times, a persecuted one. But it seems clear that the economic viewpoint of the German Hasidic Movement was opposed to the burgeoning interests of the towns. The question of how any group of Jews could be in favor of a feudal system when they could not, in most instances, own land is not as complex as it may appear. For it was precisely during that period of German history that pre-

ceeded the growth of the towns that many Jews were able to amass great fortunes. Serving as the middleman between east and west, the Jew was the trader par excellence. The Crusades changed this. It must be remembered that certain elements in the Jewish society supported, indeed financed, these wars. Not only did the Crusades raise up a new class of Christian traders, in Jewish circles it fostered the emergence of a new class of Jew- the money lender. Certainly, some of the old guard merchants among the Jews became the leading money lenders. But many did not or could not. The latter group sought to retain their prerogatives, but the changing nature of the German society eventually made this impossible. They were faced with several alternatives, none of which were particularly attractive to them. They could, and some did, begin to participate in the new economic ventures of the day. But the longer they waited to make the transition the harder it became, for the Jewish money lenders quickly formed closed guilds to insure their own interests. They could appeal to those elements of a society who are always on the outskirts of benefits- the poor and the unlettered. The Sefer Hasidim represents such an attempt. But within the low cultural framework of the book certain aristocratic tendencies remained. This aristocratic, old guard

backing evaporated in the heat of the changing conditions of Germany.

But the Sefer Hasidim continued to exert considerable influence on German Jewry. For there is a timelessness about its religious philosophy. This quality is spelled out in a practical credo that notes a great difference between words of Torah in the mouth of a good man and those spoken by an evil man. The Sefer Hasidim brought a liberal breeze into an environment stagnated by the pilpulists. The book advocates the avoidance of ritual practices which bring about needless quarrels.⁹ The authors present a high idealism which claimed that the mitsvot system is operable because a just God ruled, and "good deeds can defeat fate".¹⁰ Contained within the message of the book was the muscle of a political realism that saw no great merit in the work of the pilpulists and the tosafot.¹¹ The German Hasidim stressed brotherhood in an era in which it was a difficult doctrine to mouth and often impossible to practice because of the political situation.¹² The ideology of the German Hasidic movement doubtless brought comfort to the poor and unlettered in the Jewish Community, by constantly advocating the giving of charity in a manner which would not demean the recipient. And to the arid wasteland of Talmudic

study, the Sefer Hasidim brought a creative spark.

Judah founded no great political movement, but he and his followers were able to bring Judaism into the lives of the uncultured and the poor. In a sense, Judah failed, but it was a magnificent failure that has continued to exert an influence upon Judaism in the many forms it has since taken.

There is a saying about Judah that states that if he had lived in the time of the prophets he would have been a prophet; if in the time of the tannaim, a tanna, and so on. Perhaps, but in the time of the pilpulists and the tosafists, Judah was a nasid.

1. Jehuda Wistinetzki(ed.), Sefer hasidim(Frankfort: M.A. Wahrman Verlag, 1924); Reuben Margolis(ed.), Sefer Hasidim(Jerusalem: Mosad Rav Kook, 1960). The Wistinetzki edition will be used for this paper.

2. Max Schlossinger, "Judan ben Samuel," Jewish Encyclopedia(Ktav), Vol. 7, 357. Judan's father Samuel, his outstanding disciple, Eleazer of Worms, and Judan himself are reputed to be the major contributors. It should be remembered that the book is also the product of Judan's academy.

3. Gershom Scholem, Major Trends in Jewish Mysticism (New York: Schocken Books, 1941); F. I. Baer, "The Religious-Social Tendency of Sefer Hasidim," Zion, 1938; Monferd Harris, "The Concept of Love in Sefer Hasidim," Jewish Quaterly Review(Vol. 50), 1959-60.

1. Frederick Artz, The Mind of the Middle Ages (New York: Alfred A. Knopf, 1953), p. 450; S.B. Clough and C.W. Cole, Economic History of Europe (Boston: D.C. Heath and Company, 1941), p. 71. "Beginning in the 12th and 13th centuries.....conditions began to change, and bit by bit there developed ways of conducting business that can be termed capitalistic."
2. Artz, op. cit., p. 451; E. Herberman, "The Catholic Church in Germany," The Catholic Encyclopedia, VI, p. 49.
3. Marvin Lowenthal, The Jews of Germany (Philadelphia: Jewish Publication Society, 1936), p. 70. "The Holy Roman Empire of the German Nation seldom amounted to more than a flattering myth....."
4. C.W. Previte-Orton, Germany in Medieval Times (Vol. II of The Shorter Cambridge Medieval History, Cambridge: University Press, 1926), p. 497.
5. Z.W. Brooke, Germany in Medieval Times (Vol. V of The Cambridge Medieval History, Cambridge: University Press, 1926), p. xviii.
6. James Wycliff, "The Holy Roman Empire," Encyclopedia Britannica (14th. ed.), X, 258-262.
7. Ibid., p. 259. "....practically(they) became independent sovereigns.." This is in reference to the great feudal lords.
8. Z.W. Brooke, op. cit., p. 391.
9. Ibid., p. 80. Frederick II's policy turned out, in the end, to be a deterrent to centralization, which of course would have been in the best interests of the Monarchy.
10. E. Herberman, op. cit., p. 450ff.
11. Ibid., p. 490. The German bishops were opposed to the Pope's proposal that the German Church give up some of its secular power in order to gain the absolute power of investing.
12. James Wycliff, op. cit., p. 259. The central years of Frederick's reign were mainly occupied with an attempt to enforce his rule upon Italy. These attempts were unsuccessful.
13. Ibid., p. 259. "The 13th century saw a notable expansion of Germany..... yet it was in this age that the German people lost the possibility of political unity."
14. James Bryce, The Holy Roman Empire (New York: Shoken Books, Inc., 1961), p. 150ff.
15. C.W. Previte-Orton, op. cit., p. 490ff.

16. Ibid., pp. 494-497. The years after Gregory's death saw a slow advance of the Emperor's fortunes, but it was clear that was Rome that was gaining ascendancy.

17. Ibid., p. 500. "...after the Concordat the imperial theocracy was dead."

18. E. Herberman, op. cit., p. 490. On the surface this agreement looked like a victory for the royal force, but in fact it was a defeat. "...for the papacy that had been hitherto a subordinate power had now become a power of at least equal rank."

19. C.W. Previte-Orton, op. cit., pp. 500ff. One of the three great aims of Frederick Barbarossa was the renewal of royal authority over the German Church and the resources it controlled.

20. Ibid., p. 649; p. 645. "...few have equalled him (Innocent) in the capacity to administer, judge, negotiate and decide in affairs political and ecclesiastical, involving all of Europe."

21. Ibid., p. 665ff. Innocent began a new history of the Roman Curia. The Church was systematically organized into departments and manned by men trained in law and in office routine.

22. Z.W. Brooke, op. cit., p. 538. "Direct papal taxation begins with 1199 when Innocent III issued his mandate to all bishops to levy a fortieth of their year's income from all the benefices of their diocese." It must, however, be remembered that Rome could not always control the German bishopry. In fact, the latter often sided with the emperor against the Pope.; E. Herberman, loc. cit.

23. Frederick Artz, op. cit., p. 289. "The 13th century showed the Church and especially the Papacy, greatly strengthened in power and prestige."; p. 448. "The 13th century represented the supreme attempt of the Roman Church to direct the whole life of society in all its reaches."

24. James Bryce, op. cit., p. 166 and p. 214. "...it was not Rudolf, but rather the feudal heads that exercised the real power in Germany."

25. Z.W. Brooke, op. cit., pp. 334-348.

26. E. Herberman, op. cit., p. 492. Henry VI was often stopped in his grand schemes by the English and the French who wanted to prevent the Holy Roman Emperor from making his title something more than a myth.

27. S.B. Clough and C.W. Cole, op. cit., p. 24.

28. Z.W. Brooke, op. cit., p. viii.

29. James Bryce, op. cit., p. 123. "...by the middle of the 10th century, Germany was thoroughly feudalized."

30. Z.W. Brooke, op. cit., p. 381 ff.

31. Ibid., p. 381. "...the 12th century was the great flowering period of corporate town life in Germany, aided by royal grants of self-government. Frederick II, in the 13th century handed the towns over to the nobles."

32. James Bryce, op. cit., p. 228ff. In the 13th century there was a great movement to the cities, resulting not only in an increase in their population, but their wealth as well.

33. Z.W. Brooke, op. cit., p. 90. "The German towns, during the first half of the 13th century presented a different problem to the government. In spite of the resistance of their feudal superiors, they were always growing more powerful and more independent."; p. 519ff. But Germany lagged far behind England and France, and the towns took on a different quality. "It was in Germany that the anarchy or weakness of the holders of territorial powers enabled the cities to become municipal republics."

34. Ibid., p. 381. "He(Frederick) Succeeded to the throne of a kingdom in a state of complete disintegration, a great family feud divided the land into factions and open hostility, internal discord and widespread unrest prevailed everywhere; the country was exhausted by civil war and the plundering and burning which accompanied it; the people by famine and want which was its natural consequence. The royal authority in the hands of Conrad was too weak to check the lawlessness of the nobility....Within four years of his coronation, Frederick....transformed Germany. Feuds were healed, enemies reconciled...order was restored and the rule of law was established."

35. James Bryce, op. cit., p. 204.

36. Ibid., pp. 164-166.

37. Z. W. Brooke, op. cit., p. 353.

38. James Bryce, op. cit., p. 166. "The Prince-Electors are mentioned in 1156 A.D. as a distinct and important body."

1. Z.W. Brooke, loc. cit. "The crusading spirit spread across the Rhine.....persecution of the unhappy Israelites was the first sign of crusading ardour among the German people."

2. M. Braun, "Germany," The Jewish Encyclopedia, (Ktav), V, 631-634.

3. Marvin Lowenthal, op. cit., p. 87. "Princes allow the Jews to take Christian castles and villages in pawn, and the worst of it is that the Church loses the tithes." (Innocent III)

4. M. Braun, loc. cit. Titus was said to have acquired the Jews as his private property. Each of the successors to Titus claimed the same rights, with different specifics, depending on the political climate.

5. Marvin Lowenthal, op. cit., pp. 55-59.

6. S.W. Baron, A Social and Religious History of the Jews (Philadelphia: Jewish Publication Society, 1957), Vol. IV, p. 73.

7. Marvin Lowenthal, op. cit., pp. 55-59.

8. Guido Kisch, The Jews in Medieval Germany (Chicago: The University of Chicago Press, 1949), pp. 140-142.

9. Ibid., p. 142. One must also consider the importance of land in the feudal scheme of things.

10. Z.W. Brooke, op. cit., p. 550ff.

11. Guido Kisch, op. cit., p. 143. "Now the Jews were officially declared to be a special class of the population....This special law embraced without exception all persons of like kind, namely, the Jews, as a unified, socially closed group."

12. Ibid., p. 138.

13. Marvin Lowenthal, op. cit., p. 79. "The Jews may go wherever they wish, just like knights."

14. H. Graetz, History of the Jews (Philadelphia: Jewish Publication Society, 1894), Vol. III, pp. 417-419.

15. Guido Kisch, op. cit., p. 518.

16. Z.W. Brooke, op. cit., pp. 643-645.

17. Ibid., p. 645.

18. Guido Kisch, op. cit., p. 319.

19. Joseph Jacobs, "The Crusaders," The Jewish Encyclopedia (Ktav), IV, p. 379. "Before the Crusades the Jews had practically a monopoly of trade in Eastern products, but the closer connection between Europe and the East brought about by the Crusades raised up a class of merchant traders among the Christians, and from this time onward restrictions on the sale of goods by Jews became frequent."

20. Guido Kisch, loc. cit.
21. Marvin Lowenthal, op. cit., p. 56.
22. S.B. Clough and C.W. Cole, op. cit., p. 69.
"The Church officially strove to enforce the prohibition of usury. Church councils of the 12th, 13th, and 14th centuries decreed that usurers were not to be admitted to communion."
23. Marvin Lowenthal, op. cit., p. 59. "Whole villages, towns, and dominions fell into the fiscal possession of the Jews."
24. Ibid., pp. 60-63.
25. Kenneth M. Setton, A History of the Crusades (Philadelphia: University of Pennsylvania Press, 1935), p. 263.
26. Marvin Lowenthal, op. cit., pp. 64-66; p. 66. "Too often what the Jewish historian has seen as persecution was, at bottom, social revolt."
27. Ibid., p. 50. "Monasteries and bishoprics went into silent partnership with the Jews."
28. Joseph Jacobs, op. cit., pp. 578-580.
29. Marvin Lowenthal, op. cit., p. 69. "It is pleasing to God that they should be oppressed by the servitude they earned when they raised sacriligious hands against Him (Jesus) who had come to confer true liberty upon them." (Innocent)
30. Ibid., p. 66.
31. Sholom Singer, "An Introduction to the Sefer Hasidim," Hebrew Union College Annual (Cincinnati: Press of Maurice Jacobs, 1964), Vol. XXXV, p. 15. "...it represents a response to the methodological pattern of humiliation and degradation inflicted upon Jews during the 12th and 13th centuries."
32. Guido Kisch, op. cit., p. 292. "All these developments flowered quite naturally from the basic conditions of the Jewish settlement as established by the town lords in their charters. Within these...limits the religious and social, legal and economic life of the Jews could unfold freely."
33. S.W. Baron, op. cit., p. 69. "Their (the Jews) failure to partake of such political rights as elections to city councils was the natural result of their communal separation, rather than of the legislators' discriminatory intent."
34. Marvin Lowenthal, op. cit., p. 77. "...it was probably the only point on which Frederick II and the Papacy ever agreed."

35. Ibid., p. 77. Lowenthal notes that the Church and the Emperor often fought to see who could own and protect the Jews.

36. Ibid., p. 85. "They (the Jews) are the living witnesses of the truth faith."

37. Ibid., p. 89. "It is pleasing to God that they should be oppressed by the servitude they earned when they raised sacrilegious hands against Him who had come to confer true liberty upon them."

38. Ibid., p. 87.

39. S.W. Baron, op. cit., p. 73. "In general, the German Episcopate was for a long time intimately allied with the imperial office in their attitude toward the Jews,...they also largely followed the Emperor's lead in trying to preserve the security of Jewish lives and possessions."

40. Marvin Lowenthal, op. cit., p. 56. Augsburg and Regensburg protected the Jews because they were "useful citizens and indispensable to the common man."

41. Guido Kisch, op. cit., p. 138.

42. S.W. Baron, op. cit., p. 65. "...more consistently than in France, Germany's royal power adhered to the Carolingian tradition of protecting Jews."

43. Guido Kisch, op. cit., p. 52. "The Jews lived the lives of ordinary townsfolk, shared in the privileges and responsibilities of their fellows and were distinguished from them only by their religion."

44. Cecil Roth, "The European Age in Jewish History," The Jews, Their History, Culture, and Religion, (New York: Harper and Brothers), Vol. I, p. 220. "From the beginning of the 11th century in Germany we have evidence of a numerous, prosperous Jewish population, and firmly established communities in every town of any importance."

45. Marvin Lowenthal, op. cit., pp. 50-60.

46. Ibid., p. 53.

47. Ibid., p. 75.

48. Ibid., p. 62. Lowenthal points out that all Jews were not wealthy. For example, out of 170 in Breslau, only 16 were taxpayers, and 11 were outstandingly rich. But this is a high percentage for even 20th century America.

49. Gershom Scholem, Major Trends in Jewish Mysticism (New York: Schocken Books, 1941), p. 80.

50. Ibid., p. 80. "There was a great zeal for studying the Talmud, but it was not of a very creative nature."

51. H. Graetz, op. cit., p. 419.

52. H. Haskins, The Renaissance of the Twelfth Century (New York: Harper and Brothers, 1927), p. 33.
"...the 12th century is a period of intellectual decline in Germany among the secular as well as among the regular clergy."

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1. Sholom Singer, *op. cit.*, p. 137. "...no one is quite sure about Judah's birthdate, though all sources seem to agree that he died February 22, 1217.
2. Issac Broyde, "Kalonymus," The Jewish Encyclopedia (Ktav), VII, pp. 424-429. This family, for nearly five centuries, produced the most notable scholars of Germany.
3. A. Eckstein, "Ratisbon," The Jewish Encyclopedia (Ktav), X, p. 331. Regensberg is referred to as a great intellectual center, "but the best known of all was R. Judah b. Samuel he-Hasid."
4. Moses Gaster (trans), Ma-aseh Book (Philadelphia: Jewish Publication Society, 1934), Vol. II, p. 336.
5. *Ibid.*, pp. 336-396.
6. *Ibid.*, pp. 356-358.
7. *Ibid.*, pp. 358-362.
8. *Ibid.*, pp. 368-373.
9. *Ibid.*, pp. 373-375.
10. *Ibid.*, pp. 375-379.
11. *Ibid.*, p. 340; pp. 353-355.
12. *Ibid.*, pp. 353-355.
13. Israel Zimberg, A History of Jewish Literature (Tel Aviv: Joseph Sharnbrak, 1955), p. 255. Sefer Hasidim was not the product of one man; it spanned three generations; F.I. Baer, "The Social-Religious Tendency of the Sefer Hasidim," Zion, 1938, pp. 1-50. Baer notes that the Sefer Hasidim, although not the product of one man, does represent the work of one school of thought.
14. *Ibid.*, p. 6.
15. Monferd Harris, "The Concept of Love in the Sefer Hasidim," Jewish Quarterly Review, 1959-1960, p. 13. "While ostensibly it is a rather meandering, placid book, covering a wide range of subjects, actually it is a product of underlying conflicts and tensions. For, on the one hand, it sets up a picture of an ideal life, the life of the genuine Hasid, and on the other hand, it pictures the German community as it really was, a febrile community, full of contradictions, concerns, and unsolved problems.....it was not written in a social vacuum, but was composed by people who were active participants in the life of their community."
16. Cecil Roth, *loc. cit.*, "From the beginning of the 11th century in Germany....we have evidence of a numerous, prosperous Jewish population, and firmly established communities in every town of any importance."

17. Jehuda Wistinetzki(ed.), Sefer Hasidim(Frankfort: M.A. Wahrman, 1924), pp. 226-227, #915.
18. Ibid., p. 136, #478.
19. Ibid., p. 456, #1879.
20. Ibid., pp.221-222, #891.
21. Ibid., p. 104, #347.
22. Ibid., p. 279, #1094.
23. Ibid., p. 193, #765.
24. Ibid., p. 260, #1038.
25. Ibid., p. 374, #1528.
26. Ibid., pp. 330-331, #1344.
27. Ibid., p. 122, #407.
28. Ibid., p. 309, #1250.
29. Ibid., pp. 305-306, #1233.
30. Ibid., p. 345, #1422.
31. Ibid., p. 31, #32.
32. Ibid., pp. 278-279, #1093.
33. Ibid., p. 330, #1343.
34. Ibid., p. 330, #1341.
35. Ibid., p. 304, #1225.
36. Ibid., pp. 374-375, #1529.
37. Ibid., p. 216, #862.
38. Ibid., p. 220, #825.
39. Ibid., p. 178, #676.
40. Ibid., p. 259, #1036.
41. Ibid., pp. 226-227, #915; p. 325, #1315. Examples in which a man knew that injustices were being committed in the law courts and could do nothing about it.
42. Ibid., p. 331, #1345.
43. Ibid., p. 259, #1036.
44. Ibid., pp. 259-260, #1038.
45. Ibid., pp. 276-277, #1086. "He who is the lowliest of creatures in this world, will be on top in the world to come."
46. Ibid., p. 212, #840.
47. Marvin Lowenthal, op. cit., p. 56.
48. James Bryce, op. cit., p. 61; p. 59. "Whole villages, towns, and dominions fell into the fiscal possession of the Jews."
49. Marvin Lowenthal, op. cit., p. 200ff.
50. F.I. Baer, op. cit., pp. 35-36.
51. Ibid., p. 42.
52. Ibid., p. 16. "...there is no doubt that all these teachings(concerning the communication between the living and the dead), came to the Jews from the Christians."

53. Ibid., p. 17.
54. Ibid., p. 18.
55. Ibid., p. 50.
56. Ibid., p. 49.
57. Ibid., p. 47.
58. James Bryce, op. cit., p. 209. "...the time was one of intellectual upheaval and unrest; heresies were rife; the air was full of new doctrines."
59. C.W. Previte-Orton, op. cit., p. 482. "The clergy were removed from the judgment of laymen."
60. Simon Dubnow, An Outline of Jewish History (New York: Man N. Maisel, 1925), Vol. III, p. 185. "In the center of the spiritual life of the Jewish Community was the study of the Talmud."; Gershom Scholem, op. cit., p. 80.
61. Jehuda Wistinetzki(ed.), op. cit., pp. 409-410, #1707.
62. Ibid., p. 336, #1375.
63. Ibid., p. 204, #811. "If you see a man engaged in pilpulistic activities and he is not religious, do not permit your son to study with him."
64. Ibid., p. 197, #779. The editor wants to emend the text so that the acute son who is a pilpulist goes to study, but the section fits in with the ideology of the book as it stands.
65. Initially one is prompted to suppose that the various hasidim in the book are the mouthpieces of the authors, but it is the sage and not the hasid who utters the ideology of the Sefer Hasidim. There are numerous examples of a hasid going to a sage for advice, but not once is the situation reversed.
66. Ibid., p. 419, #1756. It is interesting to note that Judah suddenly becomes a strict traditionalist when speaking of the scribes. He is looking for an excuse to pick an ideological fight.
67. Ibid., p. 408, #1696.
68. Ibid., p. 182, #702. Suddenly Judah is no longer concerned with strict halakha.
69. Ibid., pp. 265-266, #1052.
70. Ibid., p. 121, #404.
71. Ibid., p. 357, #1475.
72. Ibid., p. 377, #1536.
73. Ibid., p. 220, #882.
74. The term, "fearer of Heaven", is a key one. It cuts across all intellectual and socio-economic lines, and it is the highest praise that can be paid

to anyone in the book. In the opening section, Judah tells the reader that he is not a great scholar, indeed, he does not aspire to be one, but he has tried to be a "fearer of Heaven". In this study this is translated as "religious". It is to those people who wish to attain this status that the Sefer Hasidim is aimed. And since all levels of society are eligible, the book has a very flexible ideology.

75. Ibid., p. 257, #1029.

76. Ibid., p. 266, #1053. "Some scholars are more evil than the uncultured", once again Judah cuts across all class lines.

77. F.I. Baer, op. cit., p. 43ff.

78. It is clear that this book is aimed at a low cultural tradition, and it would be hard to fit the priesthood and the levites into an ideology that sought to increase the prerogatives of those elements of society from which the inherited classes drew its wealth and power.

79. Jehuda Wistinetzki(ed.), op. cit., pp. 390-391, #'s 1592-1593.

80. Ibid., p. 459, #1898.

81. Ibid., p. 125, #424.

82. Ibid., pp. 152-153, #546.

83. Ibid., p. 150, #535.

84. Ibid., p. 137, #481; p. 386, #1580.

85. Ibid., pp. 330-331, #1344.

86. Ibid., p. 374, #1528.

87. Ibid., p. 122, #407.

88. Ibid., pp. 374-375, #1529.

89. There are many similarities between Judah's parables and those uttered by Jesus. Their messages, while not identical, were both aimed at low cultural elements in the two different societies.

90. Ibid., p. 386, #1580.

91. Ibid., p. 121, #404.

92. Ibid., pp. 385-386, #1575.

93. Ibid., p. 129, #442.

94. Ibid., p. 38, #36. The 7 reasons: 1) if a decree is or has been sealed against a man; 2) if a man prays without the proper inclination; 3) if a man hates the Torah and does not pay heed to its words; 4) one who does not respond to the needs of the poor; 5) one who oppresses and steals and eats that which is forbidden; 6) one who prays while not ritually clean; 7) one who prays who has sinned and has not repented.

95. Ibid., p. 9, #11; p. 465, #1923; p.380, #1590.
96. Ibid., p. 121, #405. This section also contains a negative comment about the activities of the scribes.
97. Ibid., p. 6, #5.
98. Ibid., pp. 78-79, #224. "The Christians do not treat the synagogue with disrespect unless the Jews themselves are already doing so."
99. S.W. Baron, op. cit., pp. 64-75.
100. James Bryce, op. cit., pp. 127-128.
101. Frederick Artz, op. cit., p. 448.
102. Sholom Singer, op. cit., p. 145; Marvin Lowenthal, op. cit., p. 66. Quoting Berthold of Regensburg: "A Christian in name and a Jew in deeds."; Zimberg, op. cit., p. 258. "The year 1146 marks a new period in the Jewish life of Western Europe, scattered persecutions were replaced with continuous ones."
103. Jehuda Wistinetzki(ed.), op. cit., p. 332, #1349.
104. Ibid., p. 275, #1083.
105. Ibid., p. 361, #1498.
106. Ibid., p. 421, #1765.
107. Ibid., p. 150, #542.
108. Ibid., p. 334, #1364.
109. Ibid., p. 333, #1356.
110. Ibid., pp. 383-383, #1563.
111. Ibid., pp. 332-333, #1352.
112. Ibid., p. 332, #1331. Of interest is the fact that the Jews could inherit such books.
113. Ibid., p. 121, #402. A point to be considered in this section is the fact that the contact between Christian and Jew was carried out by the upper class.
114. Ibid., p. 332, #1348; p. 333, #'s 1333-1355.
115. Ibid., pp. 82-83, #250.
116. Ibid., p. 26, #23.
117. Ibid., pp. 169-170, #632.
118. Ibid., p. 306, #1237.
119. Ibid., p. 449, #1862.
120. This was not idle chatter, because decrees handed down by the Jews were respected and upheld by the Christian authorities. Guido Kisch, op. cit., pp. 306ff.
121. Jehuda Wistinetzki(ed.), op. cit., p. 321, #1301; Guido Kisch, op. cit., p. 317. "The Jews lived the lives of ordinary townsfolk, shared in the privileges and responsibilities of their fellows, and were

distinguished from them only by their religion."

122. See footnotes in this section, 5-12.

123. Jehuda Wistinetzki(ed.), op. cit., p. 365,

#1232. "A man should not deal falsely with anyone, even a Christian."

124. Ibid., p. 73, #190.

125. Ibid., p. 256, #1021.

126. Ibid., p. 248, #1003.

127. Ibid., p. 361, #1499.

128. Ibid., p. 333, #'s 1353-1355; p. 308, #1247.

129. Ibid., p. 385, #1581.

130. Ibid., p. 445, #1849.

131. F.I. Baer, op. cit., p. 41.

132. Ibid., pp. 35-36.

133. Gershom Scholem, op. cit., p. 81.

134. Ibid., p. 83.

135. F.I. Baer, op. cit., p. 6; p. 48; p. 50.

136. Jehuda Wistinetzki(ed.), op. cit., pp. 262-263, #1047. This section assures those who are meek that they will one day inherit the world. For once in the world to come, they can cast away their meekness. His message, aimed at a low cultural tradition, indicates that the poor and various other underdog elements of society were forced into this meekness by the Jewish leadership. But some day, their roles will be reversed.

1. F.I. Baer, op. cit., p. 49. Baer notes that Judan dominated both the book and the movement.
2. Simon Dubnow, op. cit., p. 188.
3. Sholom Singer, op. cit., p. 145. Singer feels that the German Hasidim had a restrictive ideology, it was the calling of the few, not the many. It is difficult to see how this can be maintained, for the Sefer Hasidim makes the burden of the believer lighter, not heavier. In this connection see F.I. Baer, op. cit., p. 50, where he notes that Judan intended to found a mass movement.
4. Jehuda Wistinetzki(ed.), op. cit., p. 207, #817.
5. Ibid., p. 173, #647.
6. F.I. Baer, op. cit., p. 10.
7. Ibid., pp. 28-30.
8. Jehuda Wistinetzki(ed.), op. cit., pp. 237-258, #'s 967-968.
9. Ibid., p. 6, #2.
10. Ibid., p. 360, #1493. "One cannot have wisdom without proper behavior."
11. Ibid., pp. 76-77, #212.
12. Ibid., p. 357, #1475.
13. Zimberg, op. cit., pp. 271-272.
14. Sholom Singer, op. cit., p. 152. Here he pictures the three major categories of behavior and attitude as being: serenity of mind, altruism, and ascetic renunciation of this world. It is very difficult how this can be proven. The Sefer Hasidim mirrors society, it does not reject it. The cures it offers for the ills of society are quite pragmatic. See also, F.I. Baer, op. cit., who pictures the main trait of the hasid to be humility. In an otherwise fine article, Baer seems to miss the point here. One of the promises that Judan makes to his followers is that they one day be able to throw off the cloak of humility when their objectives are achieved. Jehuda Wistinetzki(ed.), op. cit., pp. 262-263, #1047.
15. Gershom Scholem, op. cit., p. 94.
16. Moses Gaster(trans.), op. cit., pp. 353-355.
17. F.I. Baer, op. cit., p. 14; pp. 40-44; Sholom Singer, op. cit., p. 153. "It is quite reasonable to assert that the distinctive element in 'pietism' which gives it its most prominent characteristic is the striving to fulfill heavenly law, a demand which is additional, self-imposed by conscience and good heart, a

law which is beyond the immediate claims of the traditional law of halakha."

18. Jehuda Wistinetzki(ed.), op. cit., p. 405, #1679; p. 467, #'s 1929-1931. Here it is quite evident that the book is against a strict interpretation of the law.

19. Ibid., p. 75, #205.

20. Ibid., p. 468, #'s 1936-1939.

21. Ibid., pp. 480-481, #1964.

22. Ibid., p. 342, #1403.

23. Ibid., p. 389, #1590; p. 9, #11. If one does not understand Hebrew he should pray in the language he understands because the inner nature of prayer is more crucial than the forms one uses to express it.

24. Ibid., p. 335, #1381.

25. F.T. Baer, op. cit., p. 14; Jacob Katz, Exclusiveness and Tolerance (Oxford: Oxford University Press, 1961), p. 94. It is noted that the hasid has a higher touchstone than the halakha.

26. Ibid. (Katz), p. 94. "The hasid's theoretical as well as his practical orientation is determined mainly by stimuli he may receive through dreams and apparitions, which are ordinarily beyond the perception of the senses and are not controlled by reason." See also (surprisingly), Gershom Scholem, op. cit., p. 91. "To be a hasid is to conform to purely religious standards entirely independent of intellectualism and learning."

27. Jehuda Wistinetzki(ed.), op. cit., pp. 471-472, #1950.

28. Ibid., p. 136, #478.

29. F.T. Baer, op. cit., p. 27.

30. Ibid., p. 42.

31. Jehuda Wistinetzki(ed.), op. cit., p. 28, #30; p. 30, #32.

32. Ibid., p. 31, #32.

33. Kiddushin, 40:B.

34. Jehuda Wistinetzki(ed.), op. cit., pp. 226-227, #915; p. 329, #1337.

35. Ibid., p. 226, #914.

36. Ibid., p. 257, #1029.

37. Ibid., p. 220, #882.

38. F.T. Baer, op. cit., p. 10.

39. Ibid., pp. 28-29.

40. Jehuda Wistinetzki(ed.), op. cit., pp. 360-361, #1493; p. 191, #752. This section states that

a man should not learn any Torah unless it makes him a truly religious man.

41. Ibid., pp. 409-410, #1707. It is important to note that this same section which denounces the activities of the pilpulists, also implores one to give money directly to worthy people who devote themselves to sacred study.

42. Ibid., p. 336, #1375. This same section also indicates that the pilpulists controlled the law courts which the Jews administered.

43. Ibid., p. 204, #811.

44. Ibid., p. 419, #1756.

45. Ibid., p. 418, #1750; pp. 265-266, #1052.

46. Ibid., p. 121, #404.

47. Ibid., p. 182, #702.

48. Ibid., p. 408, #1696.

49. Ibid., pp. 409-410, #1707.

50. Ibid., pp. 374-375, #1529.

51. Ibid., pp. 78-79, #224. "The Christians do not treat the synagogue with contempt until the Jews do themselves."

52. Ibid., p. 321, #1301.

53. Ibid., p. 62, #135.

54. Ibid., p. 256, #1021.

55. Ibid., p. 313, #1272. This section deals specifically with oaths, but it is part of a broad based attack on the Jewish leadership.

56. Gershom Scholem, Jewish Gnosticism, Merkaban Mysticism, and Talmudic Tradition (New York: Jewish Theological Seminary, 1960); Joshua Trachtenberg, The Folk Element in Judaism (Chicago: 1942).

57. J. Abelson (ed.), The Zohar (London: Soncino Press), p. xiv. The arid field of rabbinism was always kept well watered and fresh by the living streams of cabalistic lore. Mystic schools and mystic circles flourished at nearly every important epoch of Jewish history.

58. Gershom Scholem, op. cit. (Trends), p. 83; Issac Broyde, op. cit., pp. 424-426.

59. J. Trachtenberg, op. cit., p. 174. "To dismiss this folk element airy as 'mere' superstition and magic, unworthy of the Jew... is to rule out of the history of religion an essential component." The distinction that he makes between practical and theoretical mysticism is not crucial to this paper because this reader was unable to find one mystical or superstitious

element in the Sefer Hasidim which did not contain a practical message.

60. Ibid., p. 23. "Judah tries to soften the impact of superstitious practices by re-interpretation, by injecting religious meaning into them."

61. Jehuda Wistinetzki(ed.), op. cit., p. 101, #323.

62. Ibid., p. 375, #1530. A good example of another parable which implicitly offers hope and comfort to those elements of society which were snuff out from the growing wealth of the Jewish Community.

63. Ibid., p. 379, #1546.

64. An interesting parallel exists in Platonic thought. Socrates, in the Apology, relates that death is one of two things—a state of nothingness or a continuance of one's life on earth. In either case it is nothing for man to fear. Irving Erdman(ed.), The Philosophy of Plato (New York: The Modern Library, 1956), p. 87.

65. Jehuda Wistinetzki(ed.), op. cit., p. 375, #1530.

66. Zimberg, op. cit., pp. 264-265.

67. Jehuda Wistinetzki(ed.), op. cit., pp. 116-117, #372.

68. J. Trachtenberg, op. cit., p. 183ff. "The Jewish magician could and did remain a pious and God fearing Jew....Jewish magic remained securely within the periphery of Jewish faith." He notes that an ethical strain is evident in the Sefer Hasidim seems just. The magic of the Sefer Hasidim seems akin to Isserles' description: "the roots of the magical acts are three—God, science, and nature." It should be noted that here, as elsewhere, magic is placed under the purview of the sages—the mouthpieces of the ideology of the Sefer Hasidim.

69. F.I. Baer, op. cit., p. 8.

70. Ibid., p. 16. "...there is no doubt that all these teachings (on the communication between the living and the dead), came to the Jews from the Christians." To much of Judah's following magic was as real as anything viewed by the senses. But within the superstition of the Sefer Hasidim, the same teachings are repeated. The same elements are attacked, the same segments are praised.

71. F.I. Baer, A History of the Jews in Christian Spain (Philadelphia: Jewish Publication Society, 1961),

pp. 243-244. "...the cabalists were not absorbed solely in mystical thought; they also opened a vigorous attack against the dominant courtier class and participated actively in the efforts to raise the level of religious and moral life."

72. Jehuda Wistinetzki(ed.), op. cit., p. 353, #1456. "One should know that a man who practices magic will be punished."

73. Ibid., p. 6, #2. It is interesting to note that Judan points out that the letters of each of these terms add up to 611, but as elsewhere, this is unimportant to his argument.

74. Ibid., p. 39, #37.

75. P.I. Baer(Zion), op. cit., p. 9.

76. Jehuda Wistinetzki(ed.), op. cit., pp. 259-260, #1038. One has to be rich in order to perform the commandments.

77. Ibid., p. 259, #1036.

78. Ibid., p. 264, #1051.

79. Ibid., p. 244, #979.

80. Ibid., p. 372, #1509; p. 78, #221.

81. Ibid., p. 2, #1.

82. Ibid., p. 258, #1031. The example is given of one's strict adherence to wearing a talit getting in the way of fulfilling another's sacrament.

83. Ibid., p. 28, #30.

84. Ibid., p. 371, #1508.

85. Ibid., p. 471, #1950.

86. Ibid., p. 256, #1020.

87. Ibid., pp. 76-77, #212.

88. Ibid., p. 357, #1475; p. 377, #1536.

89. Gershom Scholem, op. cit., p. 28. "...it will remain a remarkable fact that the great catastrophe of the Crusades, the incessant waves of persecution which now broke over the Jews of Germany, failed to introduce an apocalyptic element into the religious tenets of German Judaism. Not a single apocalypse was written during that period."

90. James Bryce, op. cit., pp. 123-128.

91. Jehuda Wistinetzki(ed.), op. cit., pp. 152-153, #546; p. 150, #535. A synagogue should be nicer than any Jewish home in town.

92. Ibid., p. 122, #407. The further one sits from the front seats(occupied by the leadership that Judan is trying to depose) in the synagogue, the better off one is.; p. 121, #405; p. 129, #442; p. 6, #14.

93. Simon Dubnow, op. cit., p. 185; G. Scholem, op. cit., p. 80. He notes that this was a non-creative activity.; Graetz, op. cit., p. 419. "The study of Talmud continued to be the only occupation of the more intellectual among them." Judah could no more have been against the Talmud, qua Talmud, than an American politician who wanted to be successful, could be against the Constitution.

94. Jenuda Wistinetzki(ed.), op. cit., p. 204, #811.

95. Ibid., p. 336, #1375; pp. 409-410, #1707. This is a significant section for it expressly states that one should stop supporting the synagogues and the academies because they were not fulfilling their responsibilities.

96. Ibid., p. 418, #1746; p. 60, #127; p. 209, #824.

97. Ibid., pp. 378-379, #1544.

98. Ibid., pp. 360-361, #1494.

99. Ibid., p. 258, #1033.

100. Ibid., p. 103, #333.

101. Ibid., p. 68, #162.

102. Ibid., pp. 250-251, #1006.

103. Ibid., p. 467, #'s 1929-1931.

104. Ibid., pp. 261-262, #1045; pp. 276-277, #1086.

105. Ibid., p. 350, #1448.

106. Ibid., pp. 254-255, #1013.

107. Another interesting parallel in Platonic thought. In the Euthyphro, an Orphic seer is forced by Socrates to the conclusion that an action has merit not because the gods love it, but because of its own intrinsic worth.

108. Ibid., p. 191, #752. Study for its own sake is equated with practicing what one preaches.

109. Ibid., p. 78, #221. "All who honor the Torah will be honored in this world and in the world to come.

1. Jehuda Wistinetzki(ed.), op. cit., #1370. The book takes note of the changes and the concomitant pressures.

2. F.I. Baer, op. cit., p. 27.

3. Jehuda Wistinetzki(ed.), op. cit., #1958; #494. These are two of the more dramatic examples.

4. Ibid., #1302; #1402; #1484.

5. F.I. Baer, op. cit., p. 22.

6. Ibid., p. 30.

7. Ibid., p. 47. Marriages should take place only between good families. It is related that in a city in which this practice was forgotten, people began dying before their time.; Jehuda Wistinetzki(ed.), op. cit., #'s 1300-1301.

8. Ibid., #1963.

9. Ibid., #1185.

10. Ibid., #33.

11. Ibid., #15.

12. Ibid., #1371. "...it is proper to pray for a good Christian and a good apostate."

13. Shelom Singer, op. cit., p. 148.

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