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R. Judah he-Hasid or R. Moshe Zaltman: who proposed that Torah verses were written after the time of Moses?

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ABSTRACT In the year 1975, I.S. Lange published an anthology of commentaries entitled *Commentaries on the Torah of R. Judah he-Hasid*. In three of the commentaries included in this collection, the exegete suggests that the Torah includes post-Mosaic interpolations. In an additional passage, the commentator maintains that David removed psalms from the Torah and incorporated them into the book of Psalms. Some Orthodox rabbis found these comments to be heretical and rejected the possibility that they were written by R. Judah he-Hasid. In response to this criticism, Lange published a censored edition of the book, without the controversial sections. These four passages have been subject to considerable academic inquiry. On the basis of these commentaries, it is commonly maintained that R. Judah he-Hasid had idiosyncratic views about the composition of the Hebrew Bible. In this article, I argue that the controversial notes were not written by R. Judah he-Hasid but rather by his son, R. Moshe Zaltman.

I

IN THE YEAR 1975, Isaac Samson Lange published an anthology of commentaries entitled *Commentaries on the Torah of R. Judah he-Hasid* [=the Pious].¹ This collection is based on the commentaries of the weekly Torah portions and some select *haftarot* found in the Moscow manuscript MS Guenzburg 8, Russian State Library (pp. 62a–97a), and the Cambridge manuscript Add. 669,2, University Library (pages not numbered), with some additional commentaries from other sources brought by Lange in the name of R. Judah he-Hasid.² From the comments to Gen. 48:20–22, Lev. 2:13 and

1. I.S. Lange (ed.), *Perushe ha-Torah le-R. Judah ben Samuel he-Hasid* (in Hebrew; Jerusalem: Wurzweiler, 1975).

2. *Ibid.*, pp. 7–9, 11–12.

Deut. 2:8, it emerges that the Torah includes a number of verses that were not written by Moses but rather were added at a later time, by Joshua or by the Men of the Great Assembly. The comment to Num. 21:17 implies that King David removed psalms written by Moses from the Torah and interpolated them into the book of Psalms. Three of these four comments were viewed in certain circles as heretical ideas, and they incited fierce polemic.³ As a result, Lange removed the first edition from circulation and published another edition, identical in every way to the first except that it omitted the notes in the commentary that had provoked the controversy.⁴ In the opening page of the new edition he wrote:

I declare that after consultation with Torah luminaries and on the basis of their decision, I have deleted a few passages, as it is unthinkable that they might have been uttered by the sacred mouth of our rabbi, Judah he-Hasid of blessed memory. It must be presumed that others took command of these writings and cast their hands upon them.

This blatant conservatism demonstrates an inability to cope with complex views that challenge the doctrine, seemingly self-evident, that Moses wrote the Torah, start to finish.⁵

Three of the notes that Lange removed from the second edition of the book, as well as the commentary to Lev. 2:13, have received much attention in scholarly literature. Independent studies have been devoted to them and they have been mentioned briefly in publications that deal with such matters as the origins ('seeds') of biblical criticism in medieval Jewish exegesis.⁶

3. The commentary to Lev. 2:13 was not subject to censure, possibly because the critics did not understand it. See B.J. Schwartz, 'R. Judah Hehasid's Commentary on Genesis 48:20', *Tarbitz* 60 (2012), p. 30 n.5 (in Hebrew). For details of the attacks, see the bibliography in I.M. Ta-Shma, *Studies in Medieval Rabbinic Literature: Germany* (in Hebrew; Jerusalem: Bialik Institute, 2004), p. 273.

4. The title of the censored edition was identical to the first edition, and the pagination remained unchanged as well.

5. On the idea that Moses wrote the entire Torah and the historical development of this principle, see E. Viezel, 'Moses' Role in Writing the Torah: The History of Jewish Fundamental Tenet', *Journal for the Study of Religions and Ideologies* 13 (2014), pp. 3–44.

6. G. Brin, 'Studies in R. Judah the Pious' Exegesis to the Pentateuch', *Te'uda* 3 (1983), pp. 221–6; B.Z. Katz, 'Judah Hahasid: Three Controversial Commentaries', *Jewish Bible Quarterly* 25 (1997), pp. 23–30; Schwartz, 'R. Judah Hehasid's Commentary', pp. 29–39; and see among others N. Sarna, 'Unusual Aspects of Biblical Exegesis During the Middle Ages', in A.A. Greenbaum and A.L. Ivry (eds), *Thought and Action: Essays in Memory of Simon Rawidowicz* (in Hebrew; Tel Aviv: Tcherikover, 1982), p. 37; M.B. Shapiro, *The Limits of Orthodox Theology: Maimonides' Thirteen Principles Reappraised* (Oxford: Littman Library, 2004), pp. 109–12; R.A. Harris, 'Awareness of Biblical Redaction among Rabbinic Exegetes of Northern France', *Shnaton: An Annual for Biblical and Ancient Near Eastern Studies* 12 (2000), pp. 309–10 (in Hebrew); E. Touitou, *Exegesis in Perpetual Motion: Studies in the Pentateuchal*

It seems that the extent to which these notes have been studied is related to two interrelated factors: the tension between conventional Jewish belief and critical biblical scholarship and the attribution of the notes to R. Judah he-Hasid. It is well known that the encounter between traditional religious tenets and the fundamentals of biblical criticism is fraught with complexity and conflict. At the crux of the tension is the belief that the Torah is divine, that it was written by Moses, and that its text has not changed in the course of the process of transmission. Frequently, this tension is expressed by means of absolute avoidance and mutual exclusion: the defenders of Jewish tradition see biblical criticism as heresy, and critical scholars see the traditional approaches as dogmatic and irrelevant. Other coping mechanisms are known, however: on the one hand there are rabbinic scholars who incorporate some of the conclusions of biblical criticism,⁷ and on the other hand there are critical Bible scholars who accept some basic traditional views.⁸ Both groups see their scholarly endeavours as a natural and legitimate link in the chain of biblical scholarship. It is no wonder, then, that special attention has been given to the notes attributed to R. Judah he-Hasid that reflect flexibility and less dogmatic thinking. Scholars have presented these notes as heralding

Commentary of Rabbi Samuel Ben Meir (in Hebrew; Ramat Gan: Bar Ilan, 2003), p. 121 n.24; I. Knohl, 'Between Faith and Criticism', in Y. Ofer (ed.), *The 'Aspects Theory' of Rav Mordechai Breuer: Articles and Responses* (in Hebrew; Alon Shvut: Tvunot, 2005), p. 304; U. Simon, 'Transplanting the Wisdom of Spain to Christian Lands: The Failed Efforts of R. Abraham Ibn Ezra', *Jahrbuch des Simon-Dubnow-Institut VIII* (2009), p. 183 n.155. It is clear from this list that the notes are well-known and frequently cited, and that their representation in academic works is in inverse proportion to that of the collection as a whole, which has merited only scant scholarly attention (i.e. I.G. Marcus, 'Exegesis for the Few and for the Many: Judah He-Hasid's Biblical Commentaries', *Jerusalem Studies in Jewish Thought* 8 [1989], pp. 1*-3*). Gershon Brin devoted a number of studies to the collection of commentaries: 'Studies', pp. 215-26; idem, 'iyun be-peirushei R. Judah he-Hasid la-Torah', *Sinai* 88 (1981), pp. 1-17; idem, 'Linguistic Studies in R. Judah the Pious' Exegesis to the Pentateuch', *Lešonenu* 44 (1980) 314-15 (in Hebrew); idem, 'R. Judah He-Hasid: Early Jewish Bible Exegete Rediscovered', *Immanuel* 12 (Spring 1981), pp. 21-31. Brin discussed different perspectives reflected in the collection; it remains necessary, however, to clarify preliminary issues pertaining to the unity of the commentaries and the matter of their attribution to R. Judah he-Hasid. See further below.

7. See, for example, L. Jacobs, *God, Torah, Israel: Traditionalism without Fundamentalism* (Cincinnati: Huca Press, 1990), chap. 2, and the approach of R. Mordechai Breuer in Ofer (ed.), *The 'Aspects Theory' of Rav Mordechai Breuer*.

8. See, for example, S.R. Driver, *An Introduction to the Literature of the Old Testament* (New York: Meridian Books, 1956), pp. ix, xi; and, in this same vein, L. Jacobs, *Principles of the Jewish Faith: An Analytical Study* (London: Valentine Mitchell, 1964), p. 219. See most recently D. Gilad, 'Ezra Ben Seraiah the Priest in Ancient and Modern Theological Discourse', in S. Yona (ed.), *Or le-Mayer: Studies in Bible, Semitic Languages, Rabbinic Literature, and Ancient Civilizations Presented to Mayer Gruber on the Occasion of his Sixty-Fifth Birthday* (in Hebrew; Beer Sheva: Ben Gurion Press, 2010), p. 93.

the era of scientific biblical scholarship, and have described them as ‘critical’ and ‘modern’.⁹

An additional reason for the great interest in the notes censored from the commentary is the great stature of R. Judah he-Hasid. These notes indicated that the spiritual leader of Ashkenazi Hasidism, one of the most illustrious figures of spirituality and creativity in Jewish culture,¹⁰ believed that the Torah included interpolations. Furthermore, the explicit and moderate tone of the comments illustrated, indirectly, that he did not consider his views to be especially daring or extraordinary.¹¹ It seems to me that the important stature of R. Judah he-Hasid is also the reason for the eruption of such sharp controversy in conservative circles, in response to the initial publication. It would not be an exaggeration to presume that if Lange had not published the three notes in the name of R. Judah he-Hasid, they would have received much less attention, and the ‘great Torah luminaries’ (גדולי התורה), as Lange terms the influential critics of his first edition, would not have been interested in them.

It seems, then, that the attribution of the controversial notes to R. Judah he-Hasid has had a direct influence on the degree of their notoriety. Accordingly, I propose that it is important to re-examine this widespread attribution. Furthermore, the attribution of these notes has affected scholarship on the figure of R. Judah he-Hasid, introducing a new, previously unattested dimension to his works and views, and influencing the attitude of scholars to biblical exegesis of Hasidei Ashkenaz in general.¹² A renewed examination of the attribution of the comments to R. Judah he-Hasid thus has intrinsic value, beyond the matter of the conflict between tradition and critical scholarship.

9. Thus, for example, Brin states that ‘R. Judah he-Hasid was centuries before his time’; Brin, ‘Studies’, p. 220. On the principles that differentiate the remarks of medieval exegetes that are incompatible with the belief that Moses wrote the entire Torah from critical biblical scholarship, see inter alia M. Haran, ‘Midrashic and Literal Exegesis and the Critical Method in Biblical Research’, *Scripta Hierosolymitana* 31 (1986), pp. 19–48; J.D. Levenson, ‘The Eighth Principle of Judaism and the Literary Simultaneity of Scripture’, *The Hebrew Bible, the Old Testament, and Historical Criticism: Jews and Christians in Biblical Studies* (Louisville KY: Westminster John Knox Press, 1993), pp. 62–81, 171–4.

10. The significant stature of R. Judah he-Hasid is evidenced in his inclusion in the recent series of monographs entitled *גדולי הרוח והיצירה בעם היהודי*, published by the Zalman Shazar Center. See J. Dan, *R. Judah He-Hasid* (in Hebrew; Jerusalem: Zalman Shazar, 2006). In that series, the covers of the books contain the notice, ‘By necessity, the series could not include all of the great creative minds of the Jewish nation, but only select figures who made pivotal contributions to Jewish culture, and left a prominent stamp that will be felt for generations.’

11. Schwartz, ‘R. Judah Hehasid’s Commentary’, p. 39.

12. Ta-Shma, *Studies*, pp. 273–4.

II

As noted above, Lange's book is based primarily on the collection of commentaries found in two manuscripts. One of them, MS Moscow, contains the following heading: 'These are explanations from Rabbi Judah he-Hasid, may the memory of righteous ones be for a blessing.' Lange contrasted this manuscript to the collection of commentaries in MS Cambridge, which lacks such a heading, and concluded that these manuscripts derived from a third manuscript which has not survived. Despite the explicit heading of attribution before us, these are not commentaries produced by the hand of R. Judah he-Hasid. The author of the anthology is his son, R. Moshe Zaltman, writing in the first person and recording excerpts from the commentaries of his father, as well as incorporating occasional interpretations from other commentators and midrashic statements. Zaltman uses explicit citation formulas to introduce solutions that he brings in his father's name: 'My father explained', 'My father says', and so on.¹³ The impression given by these formulas is that he did not have a written commentary of R. Judah he-Hasid in front of him,¹⁴ but rather presented the material as he heard it orally, or as he received it from a contemporary figure who heard it from his father.¹⁵ Zaltman does not always accept his father's exegetical suggestions, and argues against them not infrequently.¹⁶ The commentary to Gen. 12:2 mentions the date of R. Judah he-Hasid's death,¹⁷ indicating that Zaltman

13. It is reasonable to suppose that, in keeping with the common practice among medieval exegetes, Zaltman would have brought his father's solutions without explicit acknowledgment. Similarly, it is possible that explicit references to R. Judah he-Hasid have fallen out of the text in the course of its transmission. Support for this suggestion is the fact that there are few examples in which only one of the two manuscripts used by Lange contains such explicit references.

14. Nevertheless, it appears that Zaltman also had written commentaries of R. Judah he-Hasid before him. See 'Afterwards I found it in my teacher-father's writings' (Lange, *Perushe ha-Torah*, p. 149). There are extant today two additional compositions devoted to Torah commentary that are attributed to R. Judah he-Hasid; I.S. Lange, *Ta'amei masoret ha-Mikrah le-R. Judah he-Hasid* (in Hebrew; Jerusalem: Hafatsah rashit, 1980); *Sefer Gematriot of R. Judah the Pious: Facsimile Edition* (Los Angeles: Cherub Press, 1998); J.I. Stell, *Sefer Gematriot le-[...] R. Judah he-Hasid* (Jerusalem: J.I. Stell, 2005), vol. 2. If Zaltman was familiar with these two compositions, he chose to ignore them. So, too, Zaltman chose to ignore commentaries that are included in works that reflect the teachings of R. Judah he-Hasid, such as the Torah commentaries in *Sefer Hasidim*. Compare, for example, J. Dan, *The Esoteric Theology of Ashkenazi Hasidism* (in Hebrew; Jerusalem: Bialik Institute, 1968), p. 57 (cf. J. Wistinetzki, *Das Buch der Frommen nach der Rezension in Cod. De Rossi no. 1133* [Berlin: Druck von H. Itzkowski, 1891], pp. 426–54); and see also J.I. Stell, *The Secret of the Torah, Song of Songs, Job and Ruth by R. Judah he-Hasid's Students* (in Hebrew; Jerusalem: J.I. Stell, 2009), pp. 1–52.

15. Lange, *Perushe ha-Torah*, p. 8.

16. For a collection of examples, see Brin, 'Studies', p. 216.

17. Compare also the commentary to Exod. 20:17: 'A year before his death he told me as I have

produced his work when his father was no longer alive, and he was not able to consult with him to resolve points of contention between them.

The impression given by the above details is that Zaltman aimed to produce a systematic exegetical work based upon his father's comments, incorporating his own observations – both exegetical comments on Scripture that supplemented his father's interpretations, and comments that related to his father's interpretations. The character of this composition resembles that of other works of the same period, which have not yet received sufficient scholarly attention. These compositions are based primarily on Rashi's commentary on the Torah, and sometimes also contain explanatory remarks on other biblical commentaries, but they also contain independent comments of the composer – both exegetical comments on scriptural verses and explanations of Rashi's commentary.¹⁸ These works are a very interesting cross between exegetical compilation and super-commentary. In contrast to classic exegetical anthologies that are composed of exegetical material from a number of key exegetes,¹⁹ in these cases, the work is based primarily upon the commentaries of a single exegete. Yet, unlike a super-commentary, which is devoted almost entirely to commenting on the commentary, here there is independent engagement with the biblical verses. It is thus possible that these compositions influenced Zaltman and he patterned his book in a similar format.

The above observations point to the likelihood that the heading attributing the collection of commentaries to R. Judah he-Hasid, which appears in MS Moscow, is not the product of Zaltman himself. Presumably, this heading was

written above'; and the commentary to Num. 4:6 (though in this case the reference to the death of R. Judah he-Hasid is found in a manuscript of the book *Moshav Zekenim* and not in the two manuscripts which served as the basis for Lange's book. See Lange, *Perushe ha-Torah*, p. 162 n.27.)

18. A prime example of this sort of composition is the Torah commentary of R. Yehudah b. Elazar (the Riba), known as the *Minhat Yehudah*. See H. Touitou, 'Toward the Exegetical Method of R. Yehudah b. Elazar's Commentary to the Torah', *Studies in Bible and Exegesis* VIII (2008), pp. 589–605 (in Hebrew). It appears that works of this type were composed on the bases of interpretations by other exegetes, and not solely on the basis of Rashi's commentary to the Torah. See U. Simon, 'Interpreting the Interpreter: Supercommentaries on Ibn Ezra's Commentaries between 1275 and 1400', in S. Japhet (ed.), *The Bible in the Light of Its Interpreters: Sara Kamin Memorial Volume* (in Hebrew; Jerusalem: Magnes Press, 1994), pp. 370–72; E. Viezel, *The Commentary on Chronicles Attributed to Rashi* (in Hebrew; Jerusalem: Magnes Press, 2010), p. 13.

19. S. Japhet, 'The Nature and Distribution of Medieval Compilatory Commentaries in the Light of Rabbi Joseph Kara's Commentary on the Book of Job', in M. Fishbane (ed.), *The Midrashic Imagination, Jewish Exegesis, Thought and History* (New York: State University of New York Press, 1993), pp. 98–130.

added to the beginning of the manuscript in the course of its transmission. Most likely, the significant stature of R. Judah he-Hasid and the relative anonymity of Zaltman led somebody to add the heading, and to attribute the commentary to the well-known sage who was mentioned repeatedly throughout the commentary.²⁰

The information presented up to this point and the conclusion emerging from it are not entirely new. Lange himself noted in his introduction to the work that ‘it is possible that R. Moses Zaltman added [interpretations] of his own, or that there are other additions.’²¹ Precise analysis of one exegetical passage led my teacher, Baruch J. Schwartz, to a similar conclusion. According to Schwartz, the distinction between the words of R. Judah he-Hasid and those of his son is not always clear.²² No previous attempt has been made, however, to evaluate the question of the attribution itself. Below, I will attempt to distinguish between the words of Zaltman and the words of R. Judah he-Hasid in the four famous exegetical comments. As will be seen, it is not possible to differentiate between the father and son definitively in every case. I begin with the commentary to Lev. 2:13, in which the distinction is clear and obvious, and then proceed to the commentary to Gen. 48:2–22, which is also convincing. In both of these examples, Zaltman is the one who proposed interpolations in the Torah, and not R. Judah he-Hasid. I will subsequently argue that these two comments support the conclusion that the interpolation mentioned in Deut. 2:8 also does not reflect the words of R. Judah he-Hasid, but rather those of his son. Finally, I analyse the commentary to Num. 21:17. As will become clear, in this comment it is difficult to determine who made the controversial point. In any case, this note is different from the other three comments – it does not relate to an interpolation in the Torah and it seems to be based upon a well-known tradition.

20. The phenomenon of attributing an anonymous composition to a well-known figure named in the work is known from other commentaries from the same era. Thus, for example, an anonymous commentary to Chronicles was attributed, without justification, to R. Joseph Kara, who is mentioned a few times in the commentary. See MS Munich, Bayerische Staatsbibliothek, Cod. Hebr. 5, col. 165.

21. Lange, *Perushe ha-Torah*, p. 9. Lange proceeds to note further that there are some comments that it would be preferable not to attribute to R. Judah he-Hasid, or, at the least, that need not necessarily be attributed to R. Judah he-Hasid (*ibid.*, pp. 10–11).

22. Schwartz, ‘R. Judah Hehasid’s Commentary’, p. 31, n.8, 34.

III

(1) *Lev. 2:13*: ‘You shall season your every offering of meal with salt; you shall not omit from your meal offering the salt of your covenant with God [ולא תשביט מלח ברית אלהיך]; with all your offerings you must offer salt.’

Deut. 29:11, 22: ‘To enter into the covenant of the Lord your God, which the Lord your God is concluding with you this day... all its soil devastated by sulfur and salt, beyond sowing and producing, no grass growing in it, just like the upheaval of Sodom and Gomorrah, Admah and Zeboiim, which the Lord overthrew in His fierce anger.’

*You shall not omit from your meal offering the salt of your covenant with God*²³ – The Sages said (*bMen. 21a*) that this is the salt of Sodom, about which it is written, ‘To enter into the covenant of the Lord your God’ (Deut. 29:11). And as it says there ‘all its soil devastated by sulphur and salt’ (Deut. 29:22) and the continuation of the verse is ‘just like the upheaval of Sodom and Gomorrah’ (*ibid.*), so did R. Isaac of Russia tell me in the name of my father. And this is difficult for me – was this not said at the end of Moses’ days? It seems necessary to reconcile the difficulty by saying that Moses received everything at Sinai, that the Holy One Blessed be He made [the Torah] conditional, in that if the Israelites would violate the covenant, then salt and sulphur would devastate their land like Sodom. Another interpretation; perhaps it was initially written ‘you shall not omit from your meal offering, salt’, generically,²⁴ and after Moshe our Teacher wrote this in the portion ‘*atem nitzavim*’ (Deut. 29), they added, and wrote מפִּי: which salt, ‘the salt of the covenant of your God’.²⁵

This exegetical passage consists of two sections. First, Zaltman brings his father’s interpretation, as it was reported to him by R. Isaac of Russia. The words of R. Judah he-Hasid are based upon the rabbinic statement (אמרו חכמים) in *bMen. 21a*: ‘“You shall not omit from your meal offering the salt”... that is the salt of Sodom.’ The sages, followed by R. Judah he-Hasid, were troubled by the collocation ‘the salt of your covenant with

23. The commentaries are cited from Lange’s uncensored edition (*Perushe ha-Torah*, pp. 64–5, 138, 184–6, 198). Square brackets indicate explanatory notes; sources are cited in parentheses.

24. In the manuscript, the citation of the verse here is complete: ‘“you shall not omit from your meal offering the salt of your covenant with God”, generically.’ Presumably, a copyist erred and added the expression ‘covenant of your God’ as a matter of habit, thereby obscuring the intent of the words. See below.

25. וְלֹא תִשְׁבִּיט מֶלַח בְּרִית אֱלֹהֶיךָ – אמרו חכמים זו מלח סדומית שכתוב בו ‘לעברך בברית ה’ אלהיך ובאלתו, ומה כתיב שם ‘נפירתו ומלח שרפה כל ארצה’, וסיפא דקרא ‘כמהפכת סדום ועמורה’, כך הגיד לי רי”ם [=ר’ יצחק מרוסיה] משם אבי. וקשה לי, והלא זה נאמר בסוף ימיו של משה? ונראה לתרץ שקיבל משה הכל מסיני שהק’ תלה [התורה] בזה שאם יעברו הברית, שגפירת ומלח ישרוף ארצם כמו סדום. עניין אחר, שמא מתחילה היה כתיב ‘ולא תשביט מלח מעל מנתחך’ בסתם, ואחר שמשא רבינו כתב זה באתם נצבים, אז הוסיפו וכתבו מפִּי מה מלח, ‘מלח ברית אלהיך’

God [מלח ברית אלהיך]’ and explained it by means of a *gezera shawa*: the correspondence of the words ‘salt’ and ‘covenant’ in Lev. 2 with the word ‘salt’ in Deut. 29:22 in a cluster of verses pertaining to covenant. Zaltman notes that there is a problem with R. Judah he-Hasid’s proposed exegesis (וקשה לי). Deuteronomy 29 was said ‘at the end of Moses’ days’, many years after the revelation at Sinai when Moses received the laws. How can it be, then, that Deut. 29, which was composed later, influenced Lev. 2, which was composed many years earlier? Zaltman suggests two different solutions to this problem. The first is that ‘everything’ (הכל) was given to Moses at Sinai, including the idea expressed in Deut. 29 that if Israel violates the covenant, then their land would be burnt in hail and brimstone as had happened to Sodom. According to this solution, it was Moses who wrote the words ברית אלהיך in Lev. 2, since the Torah in all its details was already known to him since Sinai. Zaltman presents this solution, which does not allow for interpolation in Torah, as an apology (ונראה לתריץ); it seems that he was not convinced to his satisfaction, and therefore presented another solution (עניין אחר). According to the second solution, the words ברית אלהיך were added in Leviticus at a later stage, under the influence of the statement in Deuteronomy. Zaltman does not say who inserted these words. It may be inferred from the use of the plural ‘they added and wrote’ (הוסיפו וכתבו),²⁶ especially in light of the next example, that he intended the Men of the Great Assembly. According to Zaltman, the interpolators inserted the words ברית אלוהיך: מפיו.²⁷ It is difficult to determine whether this abbreviation should be taken as standing for [מפיו] – that is, that they inserted the words מפיו of Moses as they appear in the book of Deuteronomy – or as standing for [מפיו]רושן – that is, that they relied upon the interpretation of Moses, which is the book of Deuteronomy.²⁸ Either way, the idea is the same: the words ברית אלהיך were added to Lev. 2 at a late stage, on the basis of Moses’ words in Deut. 29.

26. This is the correct reading, and not in the singular: הוסיפו וכתבו. See Schwartz, ‘R. Judah Hehasid’s Commentary’, p. 30 n.5.

27. Lange deleted the word מפיו without any clarification.

28. For the idea that the book of Deuteronomy is Moses’ interpretation of the commandments, see the comment of the Rashbam on Deut. 4:41: ‘and at this point [Deut. 5] he [Moses] started to interpret the commandments’. See also Abraham Ibn Ezra on Exod. 20:1: ‘God did not explain [at Exod. 20] why this was so; therefore Moses explained [פירש] the reason [at Deut. 5].’

From this comment, it would seem that R. Judah he-Hasid was not troubled at all by the question of the authorship of Lev. 2:13 and the words ברית אלהיך but rather simply paraphrased a point made in tractate Menahot. It was Zaltman who addressed the question of authorship and proposed that the verse includes an interpolation.

(2) *Gen. 48:20–22*: ‘So he blessed them that day, saying, “By you shall Israel invoke blessings, saying: God make you like Ephraim and Manasseh.” Thus he put Ephraim before Manasseh [וישם את אפרים לפני מנשה]. Then Israel said to Joseph, “I am about to die; but God will be with you and bring you back to the land of your fathers. And now, I assign to you one portion more than to your brothers, which I wrested from the Amorites with my sword and bow.”’

Thus he put Ephraim before Manasseh – My father interpreted, this does not speak of Jacob, but of Moses: ‘Thus Moses put Ephraim before Manasseh’, at the head of the encampment flag, because Jacob had said, ‘Yet his younger brother shall be greater than he’ (*Gen. 48:19*). *And Joshua wrote this, or the Men of the Great Assembly. For if you will say that Moses wrote it, Moses should have written ‘and I put Ephraim before Manasseh’, as it is written afterwards ‘I assign to you one portion more than to your brothers’ (ibid., v. 22) [emphasis mine]. And my father interpreted that Moses wrote it in the fortieth year, since Moses knew that Jacob had said, ‘Ephraim and Manasseh shall be mine no less than Reuben and Simeon’ (ibid., v. 5), therefore I have given to him, to half the tribe of Manasseh, the kingdom of Og of the Bashan and the kingdom of Sihon the king of the Amorites, for Moses had killed him. For strictly speaking, all that Ephraim received in the Land of Israel should have been for Ephraim and for Manasseh, such that all of the portion of Manasseh would have exceeded that of Ephraim, because of the birthright. But Moses said, I have already begun in the fulfilment of a commandment, and I have given to half the tribe of Manasseh that which I have given, therefore what I command to Joshua and the twelve who are apportioning the land is to give Ephraim a portion like one of the tribes, and to give the half-tribe of Manasseh according to the portion due to them.*²⁹

29. ‘וישם את אפרים לפני מנשה’ – פירש אבי: לא על יעקב נאמר כי על משה, ‘וישם משה את אפרים לפני מנשה’, בראש דגל, בעבור שיעקב אמר ‘ואחיו הקטן יגדל ממנו’. ויהושע כתבו, או אנשי כנסת הגדולה. שא”ת [=שם תאמר] משה כתבו, היה לו לומר: ‘ואני שמתי את אפרים לפני מנשה’, כמו שיש אחריו: ‘ואני נתתי לך שכם אחד על אחיך’. ופירש אבי שמשה כתבו בשנת הארבעים, בעבור שמשה ידע שיעקב אמר ‘אפרים ומנשה כראובן ושמעון יהיו לי’, לכן נתתי לו, לחצי שבט המנשה, ממלכת עוג בבשן וממלכת סיחון מלך האמורי, שמשה הרגו. שמן הדין היה כל מה שנטל אפרים בארץ היה לו להיות לאפרים ומנשה, נמצא כל חלק מנשה יתר על אפרים בעבור הבכורה. ומשה אמר: כבר התחלתי במצוה ונתתי לחצי שבט המנשה מה שנתתי, לכן מה שצויתי ליהושע ולשנים עשר החולקים את הארץ ליתן לאפרים כאחד מן השבטים ולחצי שבט המנשה כפי חלק המגיעם

The sentence emphasized above would seem to be an independent statement by Zaltman. This sentence is surrounded by two statements in the name of R. Judah he-Hasid: ‘My father interpreted... and my father interpreted’ (פירש אבי [...] ופירש אבי). According to R. Judah he-Hasid, the subject of the verse וישם את אפרים לפני מנשה (‘Thus he put Ephraim before Manasseh’) is Moses, rather than Jacob as one would expect from the context.³⁰ R. Judah he-Hasid interprets the verb וישם (‘put’) literally – the physical placement of Ephraim before Manasseh, rather than symbolically as precedence in the blessing. The Sages enumerate a number of ways in which Ephraim was placed before Manasseh.³¹ The physical placement, however, occurs only in the section of the Torah describing the desert encampment – that is, in the time of Moses, and not in the time of Jacob. According to R. Judah he-Hasid, Moses found it appropriate to place Ephraim before Manasseh in the section about the encampment in order to fulfil the blessing of Jacob: ‘Yet his younger brother shall be greater than he’ (Gen. 48:19).³² R. Judah he-Hasid suggests that Moses wrote verses 20–22 in the fortieth year of the desert wanderings. These verses join with other verses that he thinks were written by Moses in the fortieth year.³³ R. Judah he-Hasid is not the first to suppose that Moses added verses to the Torah in the fortieth year,³⁴ but as far as is known he is the first to suggest such an addendum here. In accordance with his understanding, the historical events hinted at in the subsequent verses refer to events in the time of Moses. Thus, as noted, ‘He put Ephraim before Manasseh’ (verse 20b) relates to the encampment; ‘I wrested from the Amorites with my sword and bow’ (verse 22b) refers to Moses’ war against Sihon the king of the Amorites and Og the king of the Bashan; ‘I assign to you one portion more than to your brothers’ (verse 22a) refers to the inheritance that Moses gave to the tribe of Manasseh in Transjordan.³⁵

30. For this view, see also the commentary attributed to the *Roke'ah* (R. Elazar of Worms); ed. J. Klogmann (Bnei Brak: J. Klogmann, 2001), p. 315.

31. *Genesis Rabbah* 97:5 (ed. J. Theodor and Ch. Albeck [Jerusalem: Shalem Books, 1996], p. 1248), and the parallels, listed in the notes.

32. See the more detailed analysis of Schwartz, ‘R. Judah Hehasid’s Commentary’, pp. 31–3, and his comparison to *Genesis Rabbah* and other biblical exegetes.

33. Brin, ‘Studies’, pp. 221–3.

34. E.g. Abraham Ibn Ezra on Exod. 17:14: ‘Write this for a memorial in the book – This portion was related in the fortieth year.’ See also E. Viezel, ‘The Formation of Some Biblical Books, according to Rashi’, *Journal of Theological Studies* 61 (2010), pp. 35–7.

35. For further detail, see Schwartz, ‘R. Judah Hehasid’s Commentary’, pp. 35–8.

As noted above, between the two statements by R. Judah he-Hasid that begin with the words *פִּירֵשׁ אֲבִי*, there is a sentence that begins with the words ‘And Joshua wrote it or the Men of the Great Assembly’. This sentence presents an alternative view, and it should therefore be attributed to Zaltman himself. According to Zaltman, the words ‘He put Ephraim before Manasseh’ are an interpolation that was added by Joshua or the Men of the Great Assembly.³⁶ Like R. Judah he-Hasid, Zaltman too takes Moses as the subject of the verb *וַיִּשֶׂם*, and understands the verse as relating to an event that occurred in the time of Moses rather than Jacob. Unlike his father, however, he rejects the possibility that Moses himself wrote these words. Zaltman emphasizes that whereas Moses refers to himself in the first person in verse 22, ‘I assign to you one portion more’ and so on, the words ‘He [Moses] put Ephraim before Manasseh’ are in the third person. Surely, Zaltman would not have held that every use of the third person for Moses in the Torah signals an interpolation. Rather, the switch in person in this instance occurs in a single textual unit, and it seems that this struck him as a stylistic oddity in need of explanation. Zaltman thus distinguishes three layers in the passage: the core narrative as written by Moses which contains the blessing of Jacob, ‘Yet his younger brother shall be greater than he’; the addition by Moses in the fortieth year, written in the first person, ‘I assign to you one portion more’ and so on; and a later addition by Joshua or the Men of the Great Assembly, ‘He [Moses] put Ephraim before Manasseh’. In this, he differs from his father, who divided the passage into two parts, the initial section by Moses and Moses’ addition in the fortieth year.

The difference between the approaches of the father and the son is indirectly expressed in Zaltman’s remark: ‘For if you will say that Moses wrote it’ and so on (*שֵׁם תֹּאמַר מֹשֶׁה כָּתַב וְכוּ*). These words signal a dispute. To paraphrase, the point being made is: if you, the reader, will think, following my father’s proposal, that Moses wrote the words ‘He put Ephraim before Manasseh’ in the fortieth year of the wanderings, you will have to explain

36. Both possibilities have some support in tradition. There are other known cases of the attribution of verses in the Torah to Joshua; see, especially, *bBat.* 14b; Abraham Ibn Ezra on Deut. 34:1. As for the traditions concerning the literary activities of the Men of the Great Assembly, and the reflection of these traditions in rabbinic and medieval works, see D.W. Halivni, *Peshat and Derash: Plain and Applied Meaning in Rabbinic Exegesis* (New York: Oxford University Press, 1991), pp. 137–50, 223–4; Viezel, *Commentary on Chronicles*, pp. 236–7.

why Moses did not write in first person,³⁷ as he did in verse 22,³⁸ which he did in fact add in the fortieth year.

(3) *Deut. 2:8*: ‘We then moved on, away from our kinsmen, the descendants of Esau, who live in Seir, away from the road of the Arabah, away from Elath and Ezion-geber; and we marched on in the direction of the wilderness of Moab.’

From Elath and Ezion-geber – And if you say, how could they have travelled from Etzion Geber, as they say in the portion ‘*elle mase’i*’ ‘And they travelled from Etzion Geber’ (Num. 33:36), was not Etzion Geber in Edom – as it says in Chronicles ‘At that time Solomon went to Etzion Geber... on the seacoast of the land of Edom’ (2 Chron. 5:17)? My father says that Etzion Geber was not Edomite. Rather, the king of Edom married Mahetavel the daughter of Matred (Gen. 36:39), and she brought Etzion Geber, from which they used to bring gold from the kingdom [of Ophir] (2 Chron. 8:18), into the Edomite kingdom. For it was located like Marseille or Pontoise [place names], as a way station en route [to the gold], so that they were not able to go after the gold unless they came to Etzion Geber first. This is the daughter of Mei Zahav [literally: water of gold] who brought the city from which they used to travel by water to the gold into the Edomite kingdom. And this had not yet been done in the time of Moses but rather ‘before any king reigned over the Israelites’ (Gen. 36:31), meaning: before Saul reigned; but in the days of Solomon, it had already been done. Therefore, in the days of the Men of the Great Assembly, they wrote this verse in the Pentateuch, so that you should not be surprised that Etzion Geber is described as part of Edom in Chronicles (2 Chron. 8:18).³⁹

In this commentary, the distinction between the words of R. Judah he-Hasid and the addition by Zaltman is less clear. I propose the following division: The commentary begins with Zaltman’s question: ‘how could they [the Israelites] have travelled from Etzion Geber’, since, as is shown from Chronicles, this place belonged to Edom? The commentary continues with R. Judah he-Hasid’s answer to this question: ‘My father says that Etzion

37. היה לו לומר [בגוף ראשון]: ואני שמתני את אפרים לפני מנשה וכו’.

38. ‘I assign ... which I wrested ... with my sword and bow.’

‘מאילת ומעציון גֵּבֶר’ – ווא”ת [=וואס האמר] היאך באו לעציון גבר כמו שאומרים באלה מסעי 39. ‘ויסעו מעציון גבר’, והלא של אדום היה, כדאמרינן בדברי הימים ו’אז הלך שלמה לעציון גֵּבֶר... על שפת הים בארץ אדום? ואומר אבי שעציון גבר לא היה של אדום כ”א [=כי אם] מלך אדום נשא מִקְטָבָאֵל בת מִטְרֵד, והיא הכניסה לו את עציון גבר, שמתוכה היו מביאין הזהב מן מלכות [אופיר]. שהוא נמצא כמו מרשיילא או פנדייא שעוברים דרך שם לעכבו, כך לא היו יכולין לילך אחר הזהב אם לא היו באין לעציון גבר מתחילה, זהו בת מי זהב שהכניסה לו עיר שממנה הולכין במים עד הזהב. וזהו לא נעשה עדיין בימי משה כי אם ‘לפני מלך מלך לבני ישראל’, פירוש: קודם שמלך שאול אחריכן. אבל בימי שלמה כבר נעשה. לכן כתבו בימי כנסת גדולה בחומש שלא תתמה איך בא עציון גבר לאדום כמו שכתוב בדברי הימים

Geber was not Edomite' at this stage; it had become Edomite later, consequent upon the marriage of Mahetavel who is mentioned in Genesis 39 in the list of the kings who reigned in the land of Edom.⁴⁰ R. Judah he-Hasid clarifies the geographical and economic significance of the city Etzion Geber, on the basis of a name midrash on 'Mei Zahav', the grandmother of Mehetavel, and the correspondence with 'the Land of Edom' and 'gold' mentioned in 2 Chron. 8:17–18. R. Judah he-Hasid's comments resolve the question of how the Israelites were encamping in Etzion Geber, but they don't at all relate to the recording of the list of kings in Genesis 36, and it does not seem that the question of authorship raised by this list bothered him at all.

The continuation of the commentary, from 'And this [i.e. Etzion Geber becoming part of Edom] had not yet been done in the time of Moses but rather "before any king reigned over the Israelites"' (Gen. 36:31), consists of the words of Zaltman. Zaltman accepts his father's suggestion that Etzion Geber became part of Edom at a later stage, and brings supporting data. In his opinion, the list of kings in Genesis 36, which mentions Mehetavel and Mei Zahav, on account of whom Etzion Geber became Edomite, reflects a historical period later than Moses. He learns this from Gen. 36:31, 'These are the kings who reigned in the land of Edom before any king reigned over the Israelites.' For Zaltman, this verse shows that the list could not have been composed before the time of Saul (פירושו: קודם שמלך שאול). Only somebody troubled by the question of authorship – as Zaltman was troubled, in his above-mentioned comments to Lev. 2:13 and Gen. 48:20–22 – would sense that the Edomite list of kings must reflect data subsequent to the time of Moses, and would attempt to discern who wrote it. As in the two passages discussed above, here too Zaltman proposes that the later additions to the Torah were composed by the Men of the Great Assembly.

It is interesting that whereas Zaltman objects to his father's proposed exegesis in Gen. 48:20–22 and Lev. 2:13, in this passage his remarks serve to bolster his father's suggestion. In any case, all three of the passages emphasize Zaltman's interest in the question of authorship.

40. This question and answer appear in other commentaries; see R. Jacob of Vienna, *Sefer peshatim ve-perushim* ... (Mainz: Lahmenn, 1887), p. 195; A. Zions (ed.), *Sefer pa'ane'ah raza* ... of R. Isaac Ben R. Judah ha-Levi (Jerusalem: Machon Torat ha-Rishonim, 1998), p. 467. This interpretation may also be reflected in the commentary of R. Joseph Bechor Shor to Gen. 36:39.

Indirect support for my proposal that it was Zaltman, rather than R. Judah he-Hasid, who believed that the Torah contains interpolations may be brought from a note published by S.D. Luzzatto (Shadal) in the journal *Kerem Chemed* in 1843. Luzzatto offered a short description of a manuscript containing commentaries on the Torah, including interpretations brought in the name of R. Judah he-Hasid. In one of these interpretations, R. Judah he-Hasid addresses Ibn Ezra's well-known commentary on Gen. 12:6, in which Ibn Ezra hints that the words 'and the Canaanites were then in the land' were not written by Moses but rather were added to the Torah at a later stage. It seems that R. Judah he-Hasid did not understand Ibn Ezra's intention at all.⁴¹ It may be assumed that if it were R. Judah he-Hasid who had suggested in the three above-mentioned notes that Joshua and the Men of the Great Assembly added words in Torah, then he would have understood Ibn Ezra, just as other contemporaneous exegetes who presumed interpolations in the Torah understood Ibn Ezra.⁴²

IV

In the three exegetical comments discussed above, Zaltman supposes that there are verses in the Torah that were added after the time of Moses, by Joshua or by the Men of the Great Assembly. His proposals supplement similar statements in rabbinic medieval exegetical writings, which attribute some sort of role in the authorship of the Torah to Joshua and the Men of the Great Assembly.⁴³ As far as is known, however, no other exegete identified a late addition in Gen. 48:20 and Lev. 2:13.⁴⁴ It thus seems that Zaltman received the tradition that Joshua and the Men of the Great Assembly added words and verses in the Torah, which he employed in order to resolve difficulties

41. See Sh.D. Luzzatto, *Kerem Chemed* 7 (1843), pp. 71–2.

42. Cf. Ta-Shma, *Studies*, pp. 276–7. It is worth noting that not all of Ibn Ezra's supercommentators understood his hint in terms of post-Mosaism; see Simon, 'Interpreting the Interpreter', pp. 367–411.

43. See above, n. 36.

44. Nevertheless, Zaltman was not the first exegete to propose that the list of kings in Gen. 36 was written after the time of Moses. See the commentary of Ibn Ezra to Gen. 36:31, which brings the proposal of the Yizchaki that the list was composed in the time of Jehoshaphat. For a more detailed discussion of this view, and Ibn Ezra's polemic against it, see U. Simon, 'Yizchaki: A Spanish Biblical Commentator Whose "Book Should be Burned", according to Abraham Ibn Ezra', in M. Brettler and M. Fishbane (eds), *Minha le-Nahum: Biblical and Other Studies Presented to Nahum M. Sarna* (Sheffield: JSOT Press, 1993), pp. 309–17.

in the above-noted verses. His exegetical note to Num. 21:17 is different in this aspect. As stated previously, this note also aroused opposition, and was removed from the book by Lange, which led scholars to associate it with the three notes discussed above. However, this fourth note does not relate at all to interpolation but rather to a separate, and very interesting, phenomenon that seems to be based on a familiar tradition. As discussed below, in this case, it is not clear where the words of R. Judah he-Hasid end and where those of Zaltman begin.

(4) *Num. 21:17–20*: ‘Then Israel sang this song: “Spring up, O well – sing to it – The well which the chieftains dug, Which the nobles of the people started with maces, with their own staffs.” And from Midbar to Mattanah, and from Mattanah to Nahaliel, and from Nahaliel to Bamoth, and from Bamoth to the valley that is in the country of Moab, at the peak of Pisgah, overlooking the wasteland.’

Then Israel sang this song – My teacher-father explained: This is the Great *Hallel*. For after they were saved from Sihon and Og, and they crossed Nahal Arnon, they sang this song. And it was written in Torah, but King David isolated orphan psalms [מזמורים יהומים]⁴⁵ of Moses which were in the Torah and incorporated them into his book of Psalms.⁴⁶

R. Judah he-Hasid identifies ‘this song’ (השירה הזאת) with Ps. 136, known as the Great *Hallel*.⁴⁷ This identification does not emerge naturally from the text at all. It seems likely to me that R. Judah he-Hasid is relying upon a known tradition, though it is not currently possible to trace its roots.⁴⁸ This tradition derives from rabbinic statements that credit Moses with some role in the composition of the book of Psalms. *bBava Batra* states that David composed the book of Psalms through (על ידי) ten elders, including Moses.⁴⁹ *Midrash Tehillim* states that Moses composed eleven psalms included in the book of

45. See Rashi on *b’Abod. Zar. 24b*.

46. ‘אז ישיר ישראל את השירה הזאת’ – פירש מ”א [=מורי אבני] – זהו הלל הגדול, שלאחר שניצולו מסיחון ועוג ועברו נחל ארנון אז נעשה זה השיר. ובחומש היה כתיב אלא שרוד המלך הסיר כל מזמורי יהומי[ם] של משה שבחומש וחיברן בספר תהילים שלו

47. On the identification of ‘Great *Hallel*’ with Ps. 136, see A.J. Heschel, *Heavenly Torah as Refracted through the Generations* (in Hebrew; London and New York: Soncino Press, 1965), vol. II, pp. 433–4.

48. See H.M. Bick, ‘The Life and Works of Rabbi Judah the Pious with Special Emphasis on His Commentaries to the Bible, Prayer and Halacha’ (M.A. thesis, Yeshiva University, 1967), p. 31.

49. *bBat 14b–15a*, ‘David wrote the book of Psalms through [על ידי] ten elders: Adam, Melchizedek, Abraham, Moses’ etc. (this statement is repeated, with minor changes, in other rabbinic writings). For the meaning of the collocation על ידי (lit. ‘at the hands of’) in this context, see Viesel, ‘Formation of Some Biblical Books’, p. 20 n.8.

Psalms,⁵⁰ and there is evidence of medieval debates about the identification of these psalms.⁵¹ It is possible that there were those who believed that Psalm 136 was one of the psalms composed by Moses. The attribution of this psalm to Moses and its association with the Song of the Well is founded upon a number of interrelated considerations. Num. 21:17 contains the opening formula ‘Then Israel sang this song.’ This formula is nearly identical with the opening to the Song of the Sea, ‘Then Moses and the Israelites sang this song’ (Exod. 15:1).⁵² However, whereas the Song of the Sea contains many verses, the Song of the Well consists of just a few words. This would have given rise to the supposition that the text in Numbers does not reflect the full song, but rather is simply the opening of the song, or a summary.⁵³ The association of the lost song with Ps. 136 specifically is based upon the content of the psalm, which refers to the Exodus and the wanderings in the desert and specifically to the victory over Sihon king of the Amorites and Og king of the Bashan (Ps. 136:19–20), which are described in Num. 21.

The continuation of the commentary contains the proposal that Ps. 136, together with additional psalms that lack an incipit (‘orphan psalms’) which are attributed to Moses, were recorded in the Torah, and that David removed these and incorporated them in the book of Psalms. This proposal seems to be a fascinating development of the words of R. Levi in the name of R. Hanina in *Midrash Tehillim*:

‘Eleven psalms that were written by Moses, he wrote in the style [תכסיס] of the prophets. And why were they not written in the Torah? Because these are words of the Torah and those are words of prophecy.’⁵⁴ Some versions of the midrash contain an added sentence explaining why the psalms written by Moses are not included in Torah: ‘[Because] we do not separate between words of Torah and words of the Prophets’ (כִּי אֵין מַפְסִיקִין בֵּין דְּבַרֵי תוֹרָה) (לְדַבְרֵי נְבִיאִים),⁵⁵ which ought to be read: ‘we do not distinguish between

50. Cited below.

51. See Rashi’s interpretation to *bBat.* 14b, which identifies the eleven psalms with Pss. 90–100, i.e. from the explicit mention of Moses in Ps. 90:1, ‘A prayer of Moses, the man of God’, through the explicit mention of David in Ps. 101:1: ‘Of David. A psalm’. For a different opinion, see for example Radak’s introduction to his commentary on Psalms, and his comments on Ps. 90:1, 10.

52. Cf. Judges 5:1.

53. Compare Ibn Ezra’s comments to Num. 21:17, in which he declares ‘just the beginning of the song, which was not written down completely’.

54. *Midrash Tehillim* 90, Sh. Buber ed. (Berlin: Hirsch Itskowski, 1899), p. 388.

55. *Ibid.*, p. 388, n.35.

words of the Torah and words of the Prophets,' or 'we do not interrupt words of the Torah with words of the Prophets' (אין מפסיקין דברי תורה) (בדברי נביאים).⁵⁶ The distinction between psalms that were written in the order and in the style (הכסיס)⁵⁷ of the prophets, and the rest of the Torah which is of a unified character, was necessary. The removal of Ps. 136 and the additional psalms was thus necessitated by reality.

Lange retained the continuation of the commentary, which did not cause controversy, in his censored edition. This passage is very long and deals with many different topics: emphasis upon the connection between Ps. 136 and the desert wanderings; mention of the contribution of Joshua to the composition of Ps. 135; the determination that the concluding verse of Ps. 135 was added by David; clarification that the composition of these verses was effected by means of a miracle; clarification that the desert encampments were located near sources of water, and that in this case Moses found it appropriate to refer to the water source, and to the digging of the well, because it was especially important;⁵⁸ mention of the association between the search for water and praising God; clarification of technical details related to the digging of the well and the transport of the water; the observation that the reference to the song does not appear in proper sequential order – it belongs after the war with Sihon and Og, but was brought here because of the mention of the digging of the well.⁵⁹

The continuation of the commentary is clearly Zaltman's,⁶⁰ but up to this point I cannot distinguish definitively between the words of R. Judah he-Hasid and those of Zaltman. Logic would dictate that such a long passage, replete with details and featuring a number of lemmata, would not reflect

56. Heshel, *Heavenly Torah*, p. 433 n.4.

57. E. Ben Yehuda, *A Complete Dictionary of Ancient and Modern Hebrew* (in Hebrew; Jerusalem: Makor, Reprint 1980), p. 1874.

58. It seems to me that he has in mind Num. 21:18–20, and thus that only verse 17 relates to the song.

59. As noted above, the search for water was accompanied by a song of praise to God.

60. Subsequently, Zaltman objects to a statement of R. Judah he-Hasid regarding *bRoš Haš.* 31a. Following the Sages, R. Judah he-Hasid designated three groups of verses that are to be said at the evening prayer on Shabbat. The third group of verses is called 'Then Israel sang', i.e. the Song of the Well of Num. 21:17. Zaltman does not entertain the idea that the Sages intend that it is sufficient to recite only those few words, but he also finds it difficult to accept that they are hinting at Ps. 136. This is because elsewhere in the Talmud they call this psalm by the name 'Great Hallel' and not 'Then Israel sang'. Zaltman concludes his comment with the word 'stuttering' (גימגום), meaning difficulty or hesitation. See I. Avinery, *Heichal Rashi I* (Jerusalem: Mosad ha-Rav Kook, 1979), p. 234. This indicates that he does not know how to resolve the matter.

words that were transmitted orally by R. Judah he-Hasid to Zaltman. It seems likely to me that the words of R. Judah he-Hasid end with the association of the Song of the Well with Ps. 136 – that is, with the short sentence that appears just after the introductory formula **פירש מורי אבי**: **זהו הלל**. **הגדול, שלאחר שניצולו מסיחון ועוג ועברו נחל ארנון אז נעשה זה השיר**. The rest of the commentary was written by Zaltman, adding to his father's proposal and developing it. Among Zaltman's addenda and supplementations was the clarification of the process whereby Psalm 136 was transferred from Torah to its place in the book of Psalms – that is, the controversial sentence that was censored. This suggestion can only be conjectural.

V

In this article, I have aimed to demonstrate that the famous and oft-quoted comments to Gen. 48:20–22, Lev. 2:13 and Deut. 2:8 which imply that the Torah contains interpolations that were added after the time of Moses are to be attributed to Zaltman and not R. Judah he-Hasid. I have proposed that the note to Num. 21:17, which states that David removed psalms from Torah, is also to be attributed not to R. Judah he-Hasid, but rather to his son, though at this stage there is no conclusive evidence to support my conjecture. In any case, this note is different and separate from the three other notes, and does not at all concern interpolations in Torah.

Numerous studies have been devoted to describing the various perspectives found in the exegesis of R. Judah he-Hasid on the basis of the commentary anthology published by Lange.⁶¹ My arguments here demonstrate the need to re-evaluate the conclusions of these studies, taking into account the question of which of the statements are to be attributed to R. Judah he-Hasid and which are to be attributed to Zaltman himself. At this time, it seems most responsible to remove 'seeds of biblical criticism'⁶² from the literary activity of R. Judah he-Hasid.

61. See above, nn. 6, 12.

62. See above, n. 9.