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## A SNOW JOB

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Given that we Chicagoans have had snow on our minds for the last month, I thought it would be interesting to see what our Tanach and Talmud had to say about the white stuff that has affected our lives this winter.

First off, we must have been praying for this weather. In our daily and Shabbat *shacharit* service we utter the following passages, so appropriate to this weather: Psalms 147: 16-17 “He giveth snow like wool, He scattereth the hoar-frost like ashes, He casteth forth His ice like crumbs; Who can stand before His cold?” Psalms 148:8 “Fire and hail, snow and vapor, stormy wind, fulfilling His word.” (The editor of the Soncino commentary on Psalms suggests that Psalm 147 was composed after an exceptionally severe winter in Jerusalem. We can relate to that!)

The Hebrew word for snow is *sheleg* (שלג), and it appears twice in the Chumash, in Exodus 4:6 and in Numbers 12:10, both times as a description of a dermatological disease *tsaraat* (צרעת) commonly mistranslated as “leprosy.” (The symptoms of *tsaraat* given in Leviticus 13-14 are incompatible with Hansen’s disease, the disease commonly called leprosy.) The analogy of *tsaraat* to *sheleg* is usually given as that of “whiteness.” Indeed, the phrase in 2 Kings 5:27, מצרע כשלג, is translated in the Soncino edition as “a leper as white as snow.” Current scholars, though, believe that, since *tsaraat* as described in Leviticus is not white, the analogy of *tsaraat* to *sheleg* should be that of “flakiness,” not “whiteness.”

Snow is used in the vernacular to epitomize a low probability event, in such sayings as “The Cubs will win the pennant - when it snows in July.” The Hebrew Proverbs also refer to snow in somewhat the same fashion, as in Proverbs 26:1 “As snow in summer, and as rain in harvest, so honor is not seemly for a fool.” Proverbs also refers to the refreshing nature of snow, viz., Proverbs 25:13 “As the cold of snow in the time of harvest, so is a faithful messenger to him that sendeth him; for he refresheth the soul of his master.”

The book of Job is replete with snow imagery. Job 9:30 refers to its cleansing power, “If I wash myself with snow water, and make my hands never so clean.” Job 24:19 uses the rapid melting of snow as an analogy to the effect of the fires of hell, “Drought and heat consume the snow waters; so doth the nether-world those that have sinned.” Job 38:26-27 invokes the primitive notion that God created snow and hail and lays them away in storehouses high above the heavens, turning them loose for His moral purposes, “Hast thou entered the treasuries of the snow or hast thou seen the treasuries of the hail, which I have reserved against the time of trouble, against the day of battle and war?” There is even a reference in Job to “black ice” (a term used recently by newscasters to describe our freeways), namely Job 6:15-16, “My brethren have dealt deceitfully as a brook, as the channel of brooks that overflow, which are black by reason of the ice, and wherein the snow hideth itself.”

The most famous reference to snow is in Isaiah 1:18, read as part of the Haftorah on the Shabbat before Tisha b’Av. There the prophet says, “Though your sins be as scarlet, they shall be white as snow.” This seems to be the only reference in the Tanach to snow as a symbol of purity.

Finally, the Talmud (Nidah 17a) concerns itself with the status of snow, whether it is like a food or like a drink. This has nothing to do with the appropriate prayer to make over eating snow; rather, it has to do with how one treats snow after it has come in contact with an unclean object, e.g., an unkosher insect. Is it edible or not? Though the Talmud quotes the Tosefta’s ruling that “snow is neither a food nor a drink,” it rules that the laws governing drinks apply to snow.

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O.C. AND M.B.

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The Art Scroll Siddur contains a section on the Laws of Prayer (pages 978-92). In it they refer to two sources of their rulings, Orach Chayim (O.C.) and Mishnah Berurah (M.B.). The Likutei P'shatim (ליקוטי פשטים) distributed weekly by the Hebrew Theological College has a Halachic Corner, and quite often it cites O.C. or M.B. as the authority for its rulings. I thought it would be instructive to go through the structure and history of these (and other) sources upon which halachic (Judaic legal) rulings are made.

First and foremost is the Mishnah, organized by Rabbi Judah HaNasi in 189 CE. He divided the set of laws into six "orders," Zeraim ("seeds"), Moed ("set feasts"), Nashim ("women"), Nezikin ("damages"), Kodashim ("hallowed things"), and Tohorot ("cleanness"). As more legal rulings were promulgated, there was a need for a comprehensive summary of the current state of the halacha, the Jewish legal code, and Rabbi Yitzchak Alfasi, known as "the Rif," published his summary in a book aptly titled Halachot in the late 11<sup>th</sup> century. He organized this work so that it paralleled the order of the Mishnah. Late in the 12<sup>th</sup> century Maimonides, known as "the Rambam," published his monumental work, Mishneh Torah, again a compendium of the current state of the halacha, only this time he broke the mold. Rather than paralleling the organization of the Mishnah, he classified the laws according to subject matter. Early in the 14<sup>th</sup> century Rabbi Asher ben Yechiel, known as "the Rosh," published his compendium, Piskei HaRosh, once again organized along the lines of the Mishnah. In 1340 the Rosh's son, Rabbi Yaakov ben Asher, known as "the Tur," published an encyclopedic compilation of the Halacha, Arba'a Turim, ("four rows"), in which he reorganized the laws into four categories, Orach Chayim ("order of life," dealing with daily, Shabbat, and holiday practices), Yoreh Deah ("teacher of wisdom," dealing with such religious rulings as dietary laws, circumcision, and purification), Even Haezer ("rock of assistance," dealing with family law), and Hoshen Mishpat ("breastplate of judgement," dealing with civil and criminal law). Interestingly, this foursome, the Rif, Rambam, Rosh, and Tur, all lived in Spain for most of their lives.

In 1563 the Sephardic Rabbi Joseph Caro (who had fled Spain, moving to Istanbul, then Bulgaria, then Salonika, and finally to Safed) completed his monumental work of updating the Halacha, naming his work Shulchan Aruch, ("orderly table"). The Shulchan Aruch retained the organization set by the Tur, and thus is divided into four volumes with the same names as those of the Arba'a Turim. Because he was a Sephardic Rabbi, Caro did not have a complete command of the rulings made in the growing Ashkenazic community. Rabbi Moshe Isserles, known as "the Ramo," stepped in and in 1570 supplemented the Shulchan Aruch with the Ashkenazic halachot, and this conjunction made the augmented work the ultimate word in Halacha.

Naturally this work spawned many commentaries and amendments. In this summary I will only concentrate on those related to the Orach Chayim. The Magen Avraham was written in 1673 by Rabbi Abraham Gombiner. In 1723 Rabbi Yehuda ben Shimon wrote Ba'er Heitev. A collection of comments by the Vilna Gaon, "the Gra," was published after his death in 1797. Machatzit Hashekel, a commentary by Rabbi Samuel Kelin, was published in 1807. All these appear in the published editions of Orach Chayim.

The commentary most cited is the Mishnah Berurah, written in 1873 by Rabbi Israel Meir Kagan, known as the "Chafetz Chaim" because of his more famous work, entitled Chafetz Chaim ("he who wishes life"), on the laws regarding gossip and slander. As the laws of the order of life were most important to Jews, an expanded version, in more accessible Hebrew, called Chayei Adam ("the life of man") was written in 1810 in Vilna by Rabbi Abraham Danziger. Finally, the popular abridged Shulchan Aruch, Kitzur Shulchan Aruch, was compiled in 1886 by Hungarian Rabbi Shlomo Ganzfried.

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COVENANTS AND CODES

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Though the 613 laws and commandments are distributed throughout the Torah, there are three major sections of the Torah in which these laws are concentrated. The first is called the Book of the Covenant (ספר הברית), named for the appellation given by Moses in Exodus 24:7. Though Rashi interprets the phrase "Book of the Covenant" to mean all of the Torah from the beginning of Genesis through the first half of Exodus, most modern scholars use this appellation to refer to Exodus 20:19 through Exodus 23:19 (and some include the Ten Commandments as well in the Book of the Covenant).

The second major section of the Torah with a concentration of laws and commandments is Leviticus 17:1-26:46. Because the main theme of this section is that the people of Israel bears the collective responsibility to seek to achieve holiness, this section was dubbed the Holiness Code (in 1877, by August Klostermann, a German biblical scholar). The third major section of the Torah with a concentration of laws and commandments (including a reprise of the Ten Commandments) is Deuteronomy 12-28, dubbed the Deuteronomic Code.

The term "Book of the Covenant" is used in only one other context in the Tanach. When the High Priest Hilkiah found a scroll of the Torah and it was brought to King Josiah, King Josiah referred to it as the "Book of the Covenant" (see 2 Kings 23:2 and 2 Chronicles 34:30). Many surmise that this scroll was only a part of the Torah. Given the unique reuse of the term "Book of the Covenant," one might speculate that this scroll was indeed a copy of the material Moses referred to by that name. But, as Hertz puts it (page 937), "Jewish and non-Jewish tradition and opinion hold that the scroll brought to the King was the Book of Deuteronomy."

All three of these codes have a similar structure. Each of their prologues deals with the proper mode of worship: Exodus 20:19-22 tells the children of Israel to build an altar, not of hewn stone, and not to make images of God. Leviticus 17 tells the children of Israel that all sacrifices be offered at the altar, and explains the proper disposition of sacrificial blood. Deuteronomy 12 presents the laws concerning the Central Sanctuary.

Each of their epilogues is a mixture of blessings and execrations. Exodus 23:20-25 is an exhortation to heed God's angel, followed by a list of consequent blessings upon the children of Israel. Leviticus 26:3-46 contains God's blessings (3-13) and curses (14-45), ending with a postscript (46). Deuteronomy 27-30 is Moses's third discourse to the children of Israel, and it, too, contains blessings and curses (28:15-68), this time spoken by Moses.

Each of these codes contains a calendar of sacred occasions. Exodus 23:15-19 describe the three pilgrimage festivals, Pesach (called *chag hamatzot*), Shavuot (called *chag hakatzir*), and Succot (called *chag ha'asif*). Leviticus 23 describes Shabbat, Rosh Hashana, Yom Kippur, and the three pilgrimage festivals, Pesach (called both *Pesach* and *chag hamatzot*), Shavuot (not referred to by name), and Succot (called *chag ha'Succot*). Deuteronomy 16:1-7 describes the three pilgrimage festivals, Pesach (called *Pesach*), Shavuot (called *chag Shavuot*), and Succot (called *chag ha'Succot*).

Finally, each of these codes contains a set of religious and secular laws, generally referred to as "duties that pertain to the land." They may be an abbreviated set (Exodus 23:10-11), or extensive (Leviticus 19 and 25; Deuteronomy 15, 26, and 24:19-22). It is worthwhile to study these codes in parallel to see how they complement and supplement each other.

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MAGDIL AND MIGDOL

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We all are familiar with the part of the *birchat hamazon*, the grace after meals, where on weekdays we use the phrase *magdil yeshuot malkoh* and on the Sabbath, festivals, and rosh chodesh we use the phrase *migdol yeshuot malkoh*. (Every time I read this phrase I am reminded of the family that is so *frum* that on Shabbat they refer to Magdilena, their maid, as Migdolena. Probably this is the same family that refers to their favorite soft drink as “ginger kale.”)

What’s the origin of this switch? In 2 Samuel 22:51, the concluding verse of the Haftorah for the seventh day of Pesach, we find the phrase **מִגְדֹּל יֵל יְשׁוּעוֹת מְלִכּוֹ** (*migdol yeshuot malkoh*: a tower of salvation is He to His king), which in some versions is printed as **מִגְדֹּל יֵל [מִגְדֹּל] יְשׁוּעוֹת מְלִכּוֹ**. The reason for the bracketed word is as an aid to the reader in pronouncing the mistranscribed word **מִגְדִּיל** (which, without vowels added, would naturally be read as *magdil*) as **מִגְדֹּל** (which, without vowels added, would naturally be read as the correct word *migdol*).

If one looks at Psalm 18, and compares it with 2 Samuel 22, one finds the identical poem, except for a number of verbal differences. Partly these differences are scribal variants; some of the differences are adaptations to liturgical needs; some of the differences are replacements of archaic or obscure expressions with more current forms or explanations of these expressions; some of these differences are simplifications of unusual constructions. Based on a comparison of these two versions, scholars believe that the 2 Samuel variant of the poem is the original. (This is contrary to the Art Scroll siddur, which claims that the Psalms were written before David became king, whereas the version in 2 Samuel was written after David was king. More on this later.)

Looking at Psalm 18:51, one finds the phrase **מִגְדֵּל יְשׁוּעוֹת מְלִכּוֹ** (*magdil yeshuot malkoh*: great salvation giveth He to His king), which, in some versions is printed as **מִגְדֵּל [מִגְדֵּל] יְשׁוּעוֹת מְלִכּוֹ**. The reason for the bracketed word is as an aid to the reader in pronouncing the mistranscribed word **מִגְדִּיל** (which, without vowels added, would naturally be read as *migdol*) as **מִגְדֹּל** (which, without vowels added, would naturally be read as the correct word *magdil*).

The Art Scroll siddur cites Etz Yosef in its explanation of why *magdil* is used on weekdays and *migdol* is used on Shabbat, etc. Etz Yosef says that, as the 2 Samuel version was composed after David became king, “when David was at the peak of his greatness,” its *migdol* “is therefore more suited to the Sabbath and festivals.” This is typical of after-the-fact justifications for practices to be found in the Art Scroll publications.

As I learned it, the true background for this switch is as follows. In early versions of the *birchat hamazon* only the 2 Samuel variant, with its *migdol*, appeared. The editor of one ancient edition of the prayerbook containing the *birchat hamazon* decided to include in sidebars the citations of all biblical quotes contained in the *Siddur*. When it came to the *migdol*, as 2 Samuel is written in Hebrew as **שְׁמוּאֵל בֵּית**, the annotator abbreviated this in the sidebar as **שׁ”ב**. Subsequent producers of *Siddurim*, upon encountering this abbreviation, mistook it for **שַׁבָּת**, *Shabbat*, and, knowing about the Psalm 18 variant, *magdil*, inserted the *magdil* as the variant to be used on weekdays.

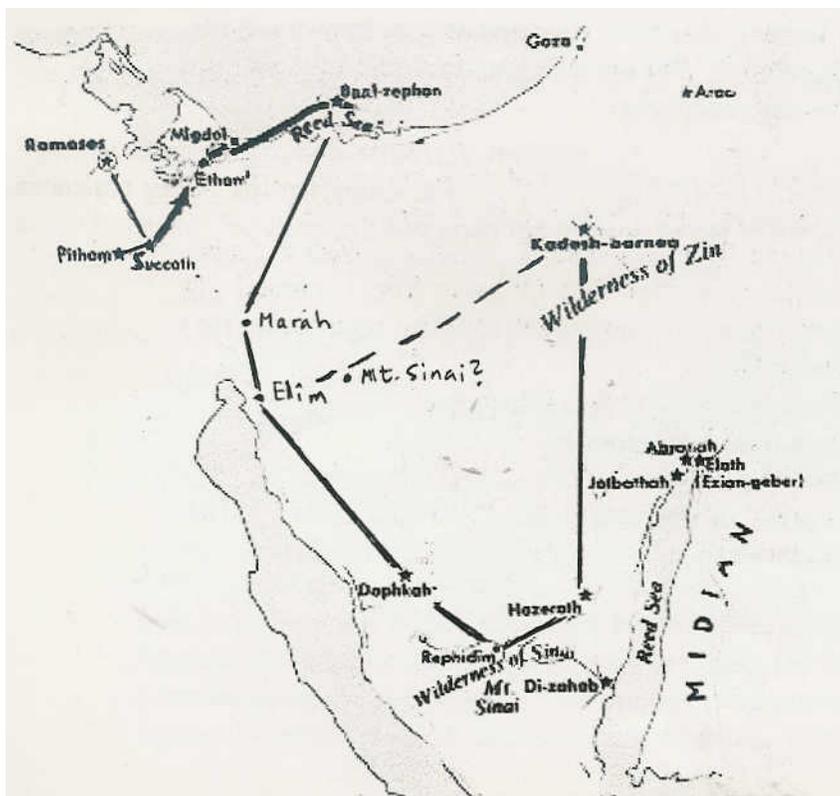
So we have gone through a series of errors. The word in 2 Samuel was vocalized as *migdol*, but the scribe who transcribed the poem in 2 Samuel 22 did not elongate the **ל** sufficiently, and so it became the **י** in **מִגְדִּיל**. In creating Psalm 18, the redactor of the 2 Samuel version saw the **מִגְדִּיל**, read it as *magdil*, and copied it without the **י**. And finally the compiler of the *birchat hamazon* mistook the sidebar **שׁ”ב** as *Shabbat*, thus getting us to where we are today.

### WANDERING IN THE DESERT-PART I

On May 22 we begin to read the fourth of the five books of Moses, במדבר, referred to in English as Numbers, but literally meaning "in the desert." It is in this book that we read of the wanderings in the desert after the Israelites received the Torah at Sinai. Our reading of this book ends on July 20, when we will read the Torah portion Masee (מסעי), which summarizes the encampments of the Israelites in their forty years of wandering in the desert. Of the 42 encampments listed there, 14 preceded the mission of the spies, which occurred in year 2 of the Exodus. This mission emanated from Kadesh (Numbers 13:26), sometimes referred to as Kadesh-barnea. (We will read about this mission when we read the Torah portion שלח on June 15.)

The list of the pre-Kadesh wanderings, according to Masee, is as follows: 1-Ramses, 2-Succoth (Exodus 13:20), 3-Etham (Exodus 13:20), 4-Migdol (Exodus 14:1), 5-Marah (Exodus 15:23), 6-Elim (Exodus 15:27), 7-Sea of Reeds, 8-Wilderness of Sin (Exodus 16:1), 9-Dophkah, 10-Alush, 11-Rephidim (Exodus 17:1, site of the battle against the Amalekites; also the site where Moses struck a rock to bring forth water for the Israelites), 12-Wilderness of Sinai (Exodus 19:2), 13-Kibroth-Hattaavah (Numbers 11:34), 14-Hazerath (Numbers 11:35), 15-Rithmah. Missing from this list is 12a-Taberah (Numbers 11:3 and Deutonomy 9:22), which may have been a sister-village of Kibroth-Hattaavah. Except for their appearance on this list, there are no other mentions of Dophkah, Alush, and Rithmah in the Torah. The Art Scroll Chumash identifies Rithmah as another name for Kadesh.

It's instructive to see these points on a map of the area. Following is a map based on 1968 edition of The MacMillan Bible Atlas, on which the known sites are located (including Baal-zephon, the site of the crossing of the Reed Sea; Exodus 14:9).

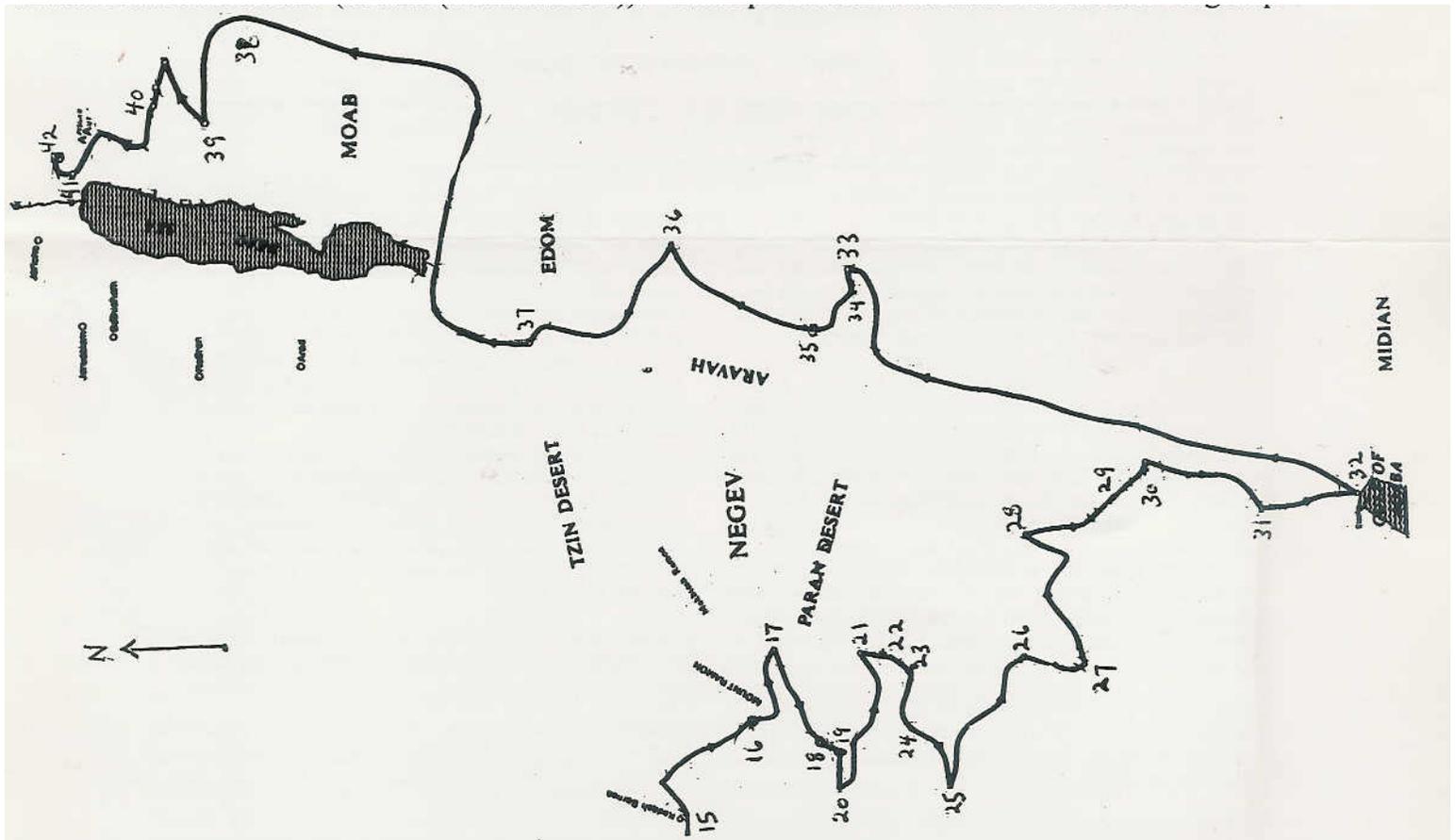


Handprinted on the map are the sites of Marah and Elim, as surmised by Professor Menashe Harel in his 1979 paper. Professor Harel also believes that Mt. Sinai is further north than the site given by The MacMillan Bible Atlas, and so I have placed that site (followed by a ?) on the map as well. Finally, Professor Harel argues that Rephidim could not be where it is sited on the map, because the site on the map is one which has water, and so sets forth a different path that the Israelites took. That path is superimposed on the map by a dashed line.

Harel's path is gaining recognition, if not acceptance in the Orthodox community. The standard atlas in that community is Atlas Da'at Mikra, authored by Yehuda Elitzar and Yehuda Kil and published by the Rav Kook Institute in 1993. I noted, though, that the Bar Ilan University webpage overview of the book of Numbers not only cites Elitzar and Kil but also cites Harel's view.

WANDERING IN THE DESERT – PART II

After the report of the spies to the Israelites camped at Kadesh-Barnea (aka Rithmah) and the reluctance of the Israelites to proceed further, God declared (Numbers 24: 33-34) that the Israelites were to wander in the desert for forty years. As they had already been in the desert for two years, this left them with a 38 year period of wandering. The list of the post-Kadesh wanderings, according to the sedrah Masee (Numbers 33), is as follows: 16-Rimmon-perez, 17-Libnah, 18-Rissah, 19-Khelathah, 20-Mount Shepher, 21-Haradah, 22-Makheloth, 23-Thath, 24-Terah, 25-Mithkah, 26-Hashmonah, 27-Moseroth, 28-Bene-jaakan, 29-Hor-hagiddgad, 30-Jotbath, 31-Abronah, 32-Ezion-geber, 33-Kadesh (aka Wilderness of Zin, Numbers 20:1), 34-Mount Hor (where Aaron was buried, see Numbers 20:22-29), 35-Zalmonah, 36-Punon, 37-Oboth (Numbers 21:10), 38-Iye-abarim (Numbers 21:11), 39-Dibon-gad (Numbers 32:34), 40-Almon-diblathaim, 41-hills of Abarim (Numbers 27:12), Mount Nebo (where Moses was buried), 42-steppees of Moab on the Jordan near Jericho (Shittim (Numbers 25:1)). These points are all indicated on the following map:



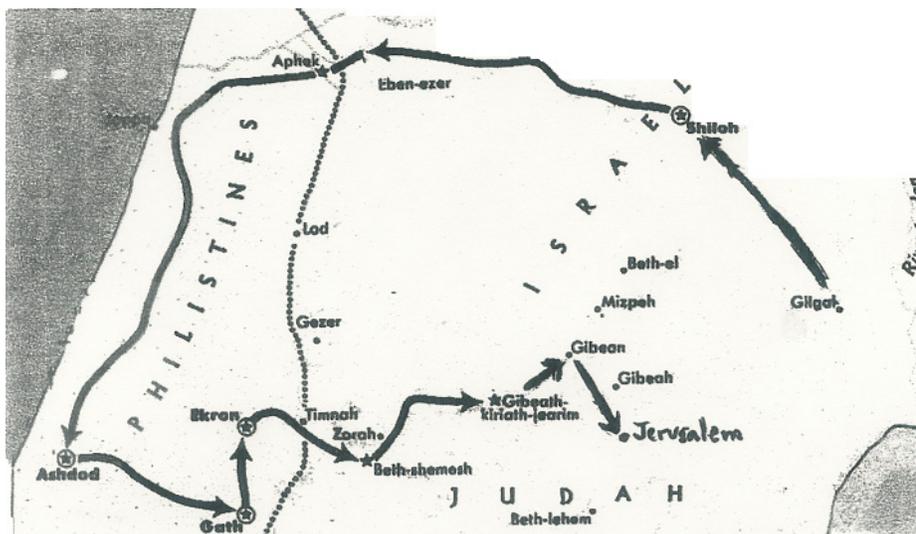
Unlike the list of the first 15 stops, each of which has a cross reference in Exodus or Numbers, none of stops 16 through 26 are mentioned elsewhere in the chumash. Deuteronomy 10:6-7 gives the order of stops 27-30 as: 27-Bene-jaakan, 28-Moserah (where it says Aaron was buried), 29-Gudgod, 30-Jotbath (which, except for spelling variations, jibes with the names given in Maase). Sites 31 and 32 are the subject of extensive research; most recently Ezion-geber has been identified with Akaba and Abronah has been identified with Eilat. Stops 35 and 36 were probably the stopping off points when the Israelites skirted the land of Edom (Numbers 21:4). Between sites 38 and 39 are a number of other stops, listed in Numbers 21: Beer (Numbers 21:16), Mattanah (Numbers 21:18), Nahaliel (Numbers 21:19), Bamoth (Numbers 21:19), valley of Moab at the peak of Pisgah (Numbers 21:20), after which they occupied the land of the Amorites (Numbers 21:31) and the Bashanites (Numbers 21:32). Site 40, Almon-diblathaim, is believed to be a conflation of two sites, Baal-meon (Numbers 32:38) and Beth diblathaim (Jeremiah 48:22).

### THE WANDERING ARK

After forty years of wandering in the desert, the Israelites finally entered their Promised Land. The land was divided among the tribes, and each tribe settled down to earn its livelihood. The entry of the Israelites to Canaan is dated, in the traditional view, at about 1273 BCE, though Hertz (page 1052 of his chumash) puts the date at 1190 BCE, John Garstang, the British archaeologist who excavated Jericho in 1931, dates the entry of the Israelites at 1407 BCE, and Eduard Mahler, the Hungarian authority on Jewish chronology, puts it at 1295 BCE. But, until Solomon built the Temple some three centuries later, where was the Ark of the Covenant?

It was probably first set up at Gilgal, where the Israelites encamped (see Joshua 4: 19). Our next sighting of the Tabernacle is in Joshua 18:1, where it is indicated that just before Joshua died the Ohel Moed, the tent of the meeting, was set up in Shiloh. A reference to the Tabernacle pops up again in Judges 18:31, still sited in Shiloh. The ark was brought out of Shiloh to Eben-Ezer to help the Israelites in their battle with the Philistines (1 Samuel 4:4). The Philistines camped at Aphek, east of Eben-Ezer (1 Samuel 4:1), and so the battle raged somewhere between these two towns. The Philistines won, captured the ark and brought it from Eben-Ezer to Ashdod (1 Samuel 5:1). From there it was moved to Gath (1 Samuel 5:8), then to Ekron (1 Samuel 5:10), and finally (after seven months in Philistine hands) delivered back to the Israelites in Beth-Shemesh (1 Samuel 6:13). The ark was then passed on to Kiriath-Yearim (1 Samuel 7:1), where it was reputed to have stayed for 20 years, though some interpret 1 Samuel 21:2 to indicate that the ark was in Nob. David fetched it (2 Samuel 6:3) from Baale-Yehuda (which some indicate is another name-for Kiriath-Yearim) and brought it to the City of David (2 Samuel 6: 12). David took the ark with him to battle (see 2 Samuel 11:14), but it ultimately settled in Jerusalem (2 Samuel 15:29), though according to 1 Kings 3:4 it was really in Gibeon, six miles northwest of Jerusalem. It was finally brought by Solomon to Jerusalem (I Kings 8:4).

The following map, adapted from The MacMillan Bible Atlas, helps visualize the travels of the wandering ark.



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## THE DISPOSITION OF THE BROKEN TABLETS

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There is a tradition that the broken tablets were kept in the ark along with the second set of tablets. This tradition is strictly a Rabbinic tradition, i.e., not one based on any explicit statement of this anywhere in the Tanach. Indeed, the phrase in 1 Kings 8:9 "*There was nothing in the ark save the two tables of stone which Moses put there at Horeb*" (אין בארון רק שני לוחות האבנים אשר הנח שם משה בהרב) apparently contradicts this tradition. However, the Rabbis interpret the use of the construction "*nothing ... save*" (אין ... רק) instead of the mere use of the word "*only*" (רק) to imply that the broken tablets were there as well (Baba Batra 14a-14b).

Deuteronomy 10:1-2 says, "*At that time the Lord said unto me: 'Hew thee two tables of stone like unto the first, and come up unto Me into the mount and make thee an ark of wood. And I will write on the tables the words that were on the first tables which thou didst break, and thou shalt put them in the ark.'*" The Rabbis interpret the plural "them" not to refer only to the new tablets, but to the fragments of the tablets as well. Their argument is based on the fact that the three words אשר שברת ושמתם ("which thou didst break, and thou shalt put them") are together in the sentence.

In 2 Samuel 6:2, we find the following: "... the ark of God, whereupon is called the Name, even the name of the Lord of hosts." את ארון האלהים אשר נקרא שם שם ה' צבאות יושב הכרובים עליו. The Rabbis say, "we learn from this (the repetition of the word שם) that both the tablets and the broken tablets resided in the ark."

1 Samuel 6 describes the return of the ark to the Israelites from the Philistines. 1 Samuel 6:8 explicitly says, "*and take the ark of the Lord and lay it upon the cart*". The Rabbis speculated on whether the tablets were in the ark captured by the Philistines, and they concluded אין בארון רק לרבות שבתי לוחות שמונחים בארון "*there was nothing in the ark except the broken tablets that resided in the ark.*"

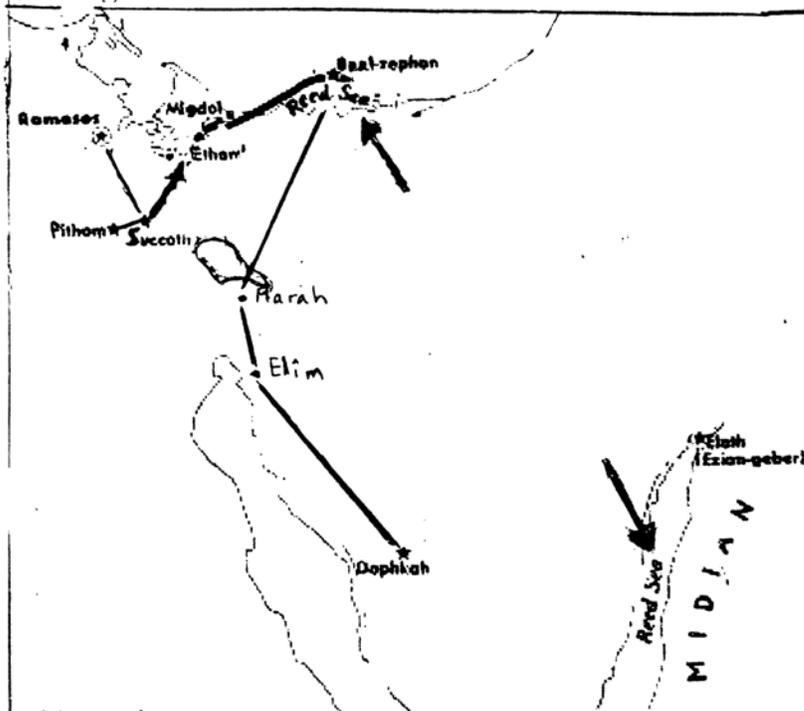
The most explicit Rabbinic statement is found in Tosefta Sotah 7:9, where we find the following (see also Sifre Behaalotecha 24):

ר' יהודה בן לקיש אומר שני ארונות היו אחד שיוצא עמהן למלחמה ואלד ששרוי עמהן במחנה זה שיוצא עמהן למלחמה היה בו ספרי תורה וזה ששרוי עמהן במחנה זה שהיה בו שבתי לוחות

"*Rabbi Judah ben Lakish said there were two arks, one that went out with them to war and one that stayed with them in the camp. The one that went out with them to war had in it the Book of the Torah (this is the ark referred to in Numbers 10:33 נוסע לפניהם) and the one that stayed with them in the camp had in it the broken tablets (this is the ark referred to in Numbers 14:44) and the ark of the covenant of the Lord and Moses did not leave the camp.*" )"

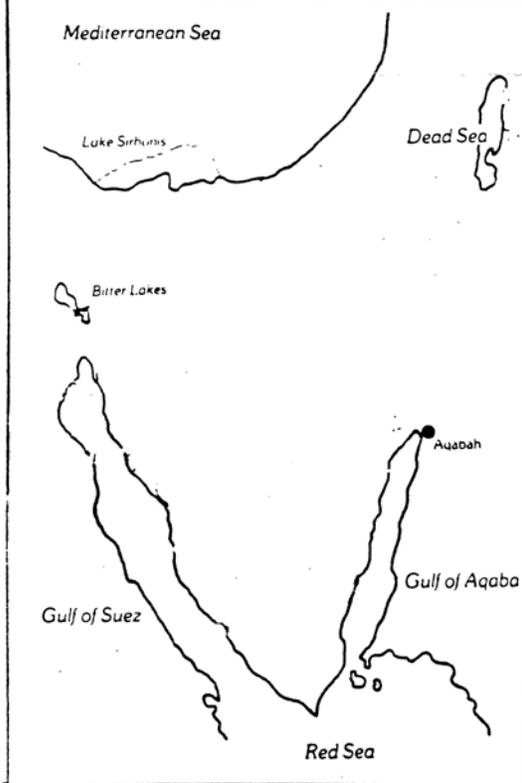
## WILL THE REAL REED SEA PLEASE STAND UP!

In the May 2001 Bulletin I copied a map from page 48 of the MacMillan Bible Atlas, without noting that the map had two areas designated as "Reed Sea." I reproduce the relevant section of that map here, highlighting the problem by pointing to the two "Reed Seas" with arrows.



The source of this naming of two separate bodies of water as the "Reed Sea" is the fact that the same name is used in the Torah for two distinct bodies of water. The Hebrew for these two bodies of water is ים סוף, translated by Hertz as "Red Sea" and by Art Scroll as "Sea of Reeds." (The word סוף is normally translated as "reeds" or "bulrushes"; see, for example, Exodus 2:3, where Moses's mother puts baby Moses into a basket and placed it in the סוף by the bank of the river. The word ים means "sea.") The first reference to ים סוף is in the description of the crossing of a sea at the beginning of the Exodus from Egypt, in Exodus 13:18, 15:4, and 15:22. The second reference to ים סוף is in the retelling of the travels of the Israelites in Numbers 14:25, 21:4, and 33:10. The latter reference is to what is now known as the Gulf of Aqaba (or Gulf of Elath). 1 Kings 9:26 tells it all; Solomon put his navy at Ezion-Geber on the shore of the ים סוף. So for sure by then, and probably earlier, ים סוף was the name of the body of water in the

lower right of the MacMillan Bible Atlas, which it translates as "Reed Sea."



But what about the first reference, to the crossing of the ים סוף? The traditional view is that the site of the crossing is in the (unnamed) sea in the lower left of the MacMillan Bible Atlas map, known today as the Gulf of Suez. Indeed, the traditional Atlas Da'at Mikra labels that body of water ים סוף. But that sea is 120 miles from Goshen, and that trek was not doable by the Israelites in the short time between their exodus from Egypt and the crossing. Also, that sea is saline, and reeds do not grow in that sea.

There are two possible fresh water sites that may have been the site of the crossing of the ים סוף. One is the little lake between Succoth and Marah on the map, known as the Bitter Lakes, at which Gordon Wenham's Numbers (1997 Sheffield Academic Press) places the crossing. The other is a fresh water inland sea at the north end of Egypt, now named Lake Sirbonis. It is that site that the MacMillan Bible Atlas has dubbed the "Reed Sea."

But what of the Red Sea? To understand the relationship of the Red Sea to the Gulf of Aqaba (called ים סוף in Numbers) and the Gulf of Suez (named ים סוף by Atlas Da'at Mikra and the traditional site of the Exodus crossing), look at the lower map. Let's start with the premise that ים סוף really refers to what

we now know as the Red Sea. If the term ים סוף covers both the Red Sea and its two northern gulfs, then it's legitimate to reference both the Gulf of Suez and the Gulf of Aqaba as ים סוף. But if one takes the view that the original use of ים סוף was both descriptive of a Sea of Reeds and that it later was a reference to the Red Sea (and its gulfs), then one can accept Atlas Da'at Mikra's calling the Gulf of Suez ים סוף, the MacMillan Bible Atlas calling the Gulf of Aqaba the Reed Sea, and the MacMillan Bible Atlas labelling another Reed Sea at its interpretation of the site of the Exodus crossing. And if Wenham had used "Reed Sea" to label his interpretation of the site of the Exodus crossing, it would have been affixed to the Bitter Lakes.

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MI SINAI MELODIES

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Our Rosh Hashana and Yom Kippur prayer services are enhanced by the haunting melodies associated with many of the prayers. Where did these melodies originate? Though there were melodies used in the prayer service in Biblical times, and subsequently in the so-called Oriental (i.e., Near East) and Sephardic (i.e., Spanish-Portuguese) Jewish communities, the melodies that we are most familiar with are those of Ashkenazic cantorial music, a tradition that began in Southwestern Germany in the eleventh century. Though developed then, these classical melodies, which to this day are inherent in our prayer service, are referred to as *MiSinai* tunes, melodies received by Moses on Mt. Sinai. This term is even justified by the Sefer HaChassidim, the great manual of piety for the Ashkenazic Jews of the thirteenth century, which interprets Exodus 19:19 בקול יעננו והאלקים יענו בו ("Moses would speak and God would respond to him with a voice") as meaning that God taught Moses these *MiSinai* tunes (see §302).

One of the most classic of these tunes is the melody used for *Oleinu* (עלינו) in the High Holiday Musaf service. The text was originally composed in the third century in Babylonia specifically for use in this service, but was incorporated into all the prayer services during the First Crusade period, primarily to remind the Jews of the sovereignty of God as they were persecuted by the Crusaders. The oldest musical manuscript containing the melody is dated 1765, but there are records of this melody having been used in the fifteenth century and perhaps even as far back as 1171.

Another classic tune is that used for *Ochiloh loel* (אחילה לקל) in the High Holiday Musaf service and for the Kaddish that introduces the Yom Kippur Neila service. This melody predates the fourteenth century, and was originally composed to accompany *Emechoh nososi* (אימך נשאתי), a tenth century poem by Meshullam ben Kalonymos that appears in the beginning of the chazzan's repetition of the Shacharit Amida in the Yom Kippur service.

A dramatic touch to the Shacharit service is the melody associated with the opening phrase, *Hamelech* (המלך), introduced by the Chazzan as he goes forth to the *bima*. This custom was established by Rabbi Meyer of Rothenburg in the thirteenth century, but took hold more generally much later, in the late fifteenth century. Other noteworthy melodies to look out for are the seventeenth century melody for the opening blessing of the repetition of the Amidah, referred to as the *Ovos* (אבות), and the eighteenth century melody for *Vehakohanim* (והכהנים) in the Yom Kippur Musaf, predates the seventeenth century.

Last but certainly not least is the haunting melody for *Kol Nidrei*. Whatever melody was used at that time, the custom was already set in the eleventh century to recite it three times, the first time in a low soft voice, gradually increasing in volume at each repetition. In the late fifteenth century there was still no set tune for *Kol Nidrei*; the Maharil (Rabbi Yaakov Moellin of Mainz, Germany) was known to sing each repetition to a different melody. The first mention of a set melody for this prayer is in the sixteenth century.

Even the routine prayers have their own special melody, or *nusach*. The so-called "preliminary service," or *pesukei d'zimra*, rendered so well by Ernie Goldstein, has such an unusual melody that it is worth your while to come at the beginning of the service to hear it. The Shacharit service has its own unique *nusach*, a melody that's a bridge between that of the *pesukei d'zimra* and the basic melody used by the Chazzan during Musaf. These, too, are well rendered by the leaders of our Shacharit service. We hope that this essay provides you with cues as to what to listen for as you join us at Lake Shore Drive Synagogue in praying for a happy and healthy New Year for all of Israel.

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## WHERE DID THAT “RED SEA” NAME COME FROM?

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By now you must be sick of the Reed Sea/Red Sea business! But it is legitimate to ask why, when **הַיָּם הַדָּוָד** is appropriately translated as Reed Sea, there are all these translations (Hertz included) that call it Red Sea? And what about that story you were told in Hebrew School about the Red Sea being given that name because of the red corals lining its shores? Or because of the color of the water upon reflecting the glow of the sunshine? Or, even more subtly, because of the color of the water upon reflecting the Edomite mountains on its eastern shores (where it is assumed that the mountains were called Edomite from the Hebrew Edom, meaning “red,” and only secondarily due to the name of the regional tribe that dwelled there)?

Here’s how I piece it the story together. There was an Asia Minor king named Erythras, and the sea now called the Red Sea was named after him as the Erythraen Sea. When in the third century BCE the Hebrew Bible was translated into Greek to form the Septuagint, the term **הַיָּם הַדָּוָד** was rendered as Erythra Thalassa (Ερυθρα Θαλασσα), meant to be Greek for the Erythraen Sea. But the Greek word Erythra means “red.” So when the Septuagint was translated into the Latin to form the Vulgate, Erythra Thalassa was translated as Mare Rubrum, unequivocally “Red Sea.” And thus the name was perpetuated. (Parenthetically, when Martin Luther translated the Hebrew Bible into German, he did it directly from the Hebrew, and rendered **הַיָּם הַדָּוָד** as Schifmeer, German for Reed Sea.)

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AKEDA-THE TENTH TEST

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The opening passage of the *Akeda*, the portion of the Torah that we read on the second day of Rosh Hashana recounting the sacrifice of Isaac by Abraham, “And it happened after these things that God tested (נִסָּה) Abraham...” (Genesis 22:1). Though the word נִסָּה appears only once in the Torah, our tradition is that this was the last of many “tests” that Abraham had to face. The second century BCE Pseudopigraphic work Jubilees says “[Even before the offering of Isaac] the Lord knew that Abraham was faithful in every affliction which he had told him, for he had tested him {1} with regard to [leaving his] country, and {2} with famine [in Canaan], and had tested him {3} with wealth of kings, and had tested him again {4} through his wife when she was taken forcibly, and {5} with circumcision; and He had tested him {6} through Ishmael and Hagar, his maid-servant, when he sent them away. And in everything in which He had tested him, he was found faithful; he himself did not grow impatient, yet he was not slow to act; for he was faithful and one who loved the Lord.” (17:17-18). If you count the list of tests in this quote from Jubilees, then, including the sacrifice of Isaac we have a count of seven tests. Jubilees 19:2-3,8 goes on to say “And she [Sarah] died in Hebron. When Abraham went to mourn over her and bury her, we [angels] tested him to see if his spirit was patient and if he was not rash with the words of his mouth; and he was found to be patient in this and was not disturbed...This was the *tenth test* by which Abraham was tested, and he was found faithful, patient in spirit.” So, though Jubilees only lists eight tests, one of which occurred after the *Akeda*, it records that Abraham had faced ten tests in all.

Where does this count of ten tests come from? Avot 5:3 says, “Our forefather was tested with *ten trials*, and he withstood them all, to show the degree of our forefather Abraham’s love of God.” (The Hebrew for “tested with ten trials” is עֲשָׂה נִסְיוֹנוֹת נִתְנָסָה, using the same language as that in Genesis.) What were these ten “tests?” Avot does not tell us, but a contemporaneous (third century BCE) extracanonical book, Avot de Rabbi Nathan, elaborates on this in Chapter 33 by adding “to wit: twice when ordered to move on {Genesis 12:1 and 12:10}, twice in connection with his two sons {Genesis 21:10 and 22:1-2}, twice in connection with his two wives {Genesis 12:15 and 21:10}, once on the occasion of his war with the kings {Genesis 14:14}, once at the covenant between the pieces {where he was told that his descendants would be enslaved for four hundred years, Genesis 15:7}, once in Ur of the Chaldees אִוּר כַּשְׂדִּים {where, as a midrashic legend on Genesis 11:28 has it, he was thrown into a fiery furnace by Nimrod...the legend probably based on an interpretation of Ur as meaning “fires”}, and once at the covenant of the circumcision {Genesis 17:9}.” Note, though, that the *Akeda* is not part of the Avot de Rabbi Nathan list of ten trials (nor, for that matter, is the tenth test of Jubilees, relating to the death of Sarah).

Contrast this with the two lists compiled much later and presented on page 100 of the Art Scroll Chumash, namely those of Rashi (1040-1105 CE) and Maimonides (1135-1204 CE). Many of the items on Rashi’s list of ten “tests” are derived from the midrashic legends: (1) Abraham hid underground for thirteen years from King Nimrod who wanted to kill him, (2) Nimrod flung Abraham into a burning furnace, (3) Abraham was commanded to leave his family and homeland, (4) almost as soon as he arrived in Canaan he was forced to escape a famine, (5) Sarah was kidnapped by Pharaoh’s officials, (6) the kings captured Lot and Abraham was forced to go to war to rescue him, (7) God told Abraham that his offspring would suffer under four monarchies, (8) at an advanced age he was commanded to circumcise himself and his son, (9) he was commanded to drive away Ishmael and Hagar, and (10) he was commanded to sacrifice Isaac.

Maimonides developed his own list of ten “tests,” eschewing any that were based on midrashic legend: (1) Abraham’s exile from his family and homeland, (2) the hunger in Canaan after God had assured him that he would become a great nation there, (3) the corruption in Egypt that resulted in the abduction of Sarah, (4) the war with the four kings, (5) his marriage to Hagar after having despaired that Sarah would ever give birth, (6) the commandment of circumcision,

(7) Abimelech's abduction of Sarah, (8) driving away Hagar after she had given birth, (9) the very distasteful command to drive away Ishmael, and (10) the binding of Isaac on the altar.

The fact that there are so many lists of "ten tests" indicates to me that there's been a long-standing obsession with lists of ten (far predating Dave Letterman). A reading of Chapter 5 of Avot underscores this. No wonder it is that in his City of God Augustine (circa 400 CE) says, "Among other things - it would take too much time to list them all - Abraham was tested through the offering up of his beloved son Isaac" (16:32). Augustine must have known all the components of the combined lists of Avot de Rabbi Nathan, Rashi, and Maimonides, and decided not to get into the "list of ten" game.

I believe that the first of the tests was Abraham's exile, not because of an admitted prejudice against midrashic tales as "proof" but by a literary analysis of the text. The instruction to Abraham of Genesis 12:1 is "Go for yourself from your land, from your relatives, and from your father's house *to the land that I will show you*"; the instruction to Abraham in Genesis 22:2 is "bring him [Isaac] up there as an offering upon one of the mountains *which I shall tell you*." In both cases God is telling Abraham to go to some unspecified place, as a test of his faith. This parallel set of instructions marks for me a pair of literary "bookends," framing the set of tests of Abraham.

Both Rashi's and Maimonides's list end with the *Akeda*, the test of all tests. This jibes with what is to me the punch line of the *Akeda* tale, Genesis 22:12, where the angel says to Abraham "for now I know (ידעת) that you are a God-fearing man." The tests are over! It is significant that it is the angel who speaks, for God already knows of Abraham's faith. The word ידעת has been interpreted to read "I have made known" (see Bereshit Rabba 56:7, a fourth century CE midrashic work, or 16:32 of its contemporaneous City of God). The message of the *Akeda* is to make Abraham's faith known to the world.

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MOSES-DID HE HAVE TWO WIVES?

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Lest you think this is the National Enquirer, let me begin with the mysterious verse (Numbers 12:1) that has raised this question. The verse says, "And Miriam and Aaron spoke against Moses regarding the Cushite woman whom he married; for he had married a Cushite woman." (על אדות האשה הכשית אשר לקח כי אשה כשית לקח). The puzzle begins with the realization that the only wife of Moses mentioned in the Torah is Zipporah, daughter of Jethro, who was a Midianite (and thus fair-skinned), and not an Ethiopian (i.e., Cushite, and thus dark-skinned). There are those who say there is no problem, in that Cushan was a neighbor of Midian in the Sinai peninsula (see Habakkuk 3:7, "I see the tents of Cushan in affliction; the curtains of the land of Midian do tremble"), so it could very well be the case that Zipporah was a Cushite. Rashi is somewhat equivocal about whether the verse refers to Zipporah, but points out that the numerical value of an alternate spelling of Cushite, namely כושית is the equivalent (736) to that of יפת מראה ("beautiful in appearance"), and treats the word "Cushite" as a reverse way of referring to the beauty of Moses's wife as a means of warding off the evil eye. Rabbi Nathan reads the phrase "a Cushite woman" as saying that this is to inform us שכל מודים ביפיה כשם שהכל מודים בשחרותו של כושי "that everyone admitted her beauty, just as everyone admits the blackness of an Ethiopian." The Aramaic translation of the Torah, Targum Onkelos, translated כשית as שפרתא, which means "beautiful."

Some rabbis are puzzled by the repetition of the complaint in the verse. Rashi justifies it by saying that if said once, then it refers to a woman who is becoming in her beauty but not becoming in her deeds, and that the repetition indicates that she was becoming in every respect. Ibn Ezra, on the other hands, repunctuates the sentences, treating the word כי as the equivalent of today's quotation marks. The JPS translation follows Ibn Ezra's lead and translates the sentence as follows: And Miriam and Aaron spoke against Moses regarding the Cushite woman whom he married: "He had married a Cushite woman!"

And so the Art Scroll Chumash drops the issue, letting us believe that it is Zipporah that is referenced throughout, and leaving us in the dark about what Miriam and Moses had "against Moses regarding the Cushite woman whom he married." Some feel that Miriam's and Aaron's objection to Moses's wife was ethnic, an objection to the fact that Moses had engaged in a "mixed marriage." The Hertz Chumash titillates us by mentioning the possibility of a second marriage of Moses which triggered the complaint by Miriam and Aaron, but gives us no details, merely referring the reader to "a masterly study" of that legend in an 1870 paper by Dr. M. Gudemann, "Die paronomasirende Anwendung von Partikeln," published in Montasschrift für Geschichte und Wissenschaft des Judenthums (pages 18-32). [Actually, I tracked down this cite based on the passing reference on page 618 of Hertz. The LDS Bulletin goes to great lengths in its service to its readers!]

We'll have to wait until the next issue to give you all the dirt I've dug up on Moses's Ethiopian marriage and his divorce record. But we can begin with Rashi, quoting Rabbi Nathan: 'Miriam was at the side of Zipporah at the time when it was told to Moses, "Eldad and Medad are prophesying in the camp (see Numbers 11:27)."' When Zipporah heard this, she said, "Woe unto the wives of these men, if their husbands are required to prophesy, for they will separate themselves from their wives just as my husband separated himself from me." Hence Miriam knew and she told it to Aaron.' This quote merely indicates that there was some sort of "separation" of Moses from Zipporah, which is interpreted in Sifre Numbers 99 to mean that since his descent from Sinai Moses refused to have sexual intercourse. But Rashi continues by his interpretation of "regarding the [Cushite] woman" to mean "because of her divorce" and his commentary on "for he had married a Cushite woman," in which he says "and now he had divorced her."

(to be continued)

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MOSES - DID HE HAVE TWO WIVES (CONTINUED)

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In last month's issue I left you in suspense about all the dirt I've dug up on Moses's Ethiopian marriage and his divorce record. Bottom line: No, he didn't ditch Zipporah for another woman! His marriage to Zipporah occurred after he had fled Egypt to Midian and the house of his ultimate father-in-law Jethro. In their poems relating to Moses, both the Jewish poet Demetrius (221-204 BCE) and the first century BCE Ezekiel the Poet (not to be confused with the prophet Ezekiel) say that Zipporah was the Ethiopian referred to by Miriam. In his "On the Jews" another second century BCE Jewish author, Artapanus, tells the story of how Moses, during the period when he lived in Egypt, spent some time in command of an Egyptian army which waged war with Ethiopia. So we've got Moses placed in Ethiopia, but still no sign of that mysterious Ethiopian woman he was alleged to have married.

My earliest source for the scoop on this woman is the first century CE Jewish historian Josephus. In Antiquities of the Jews, Ch X, he tells of an incursion of Ethiopians into Egypt, and the assignment of Moses by Pharaoh to lead an Egyptian army to repel the Ethiopian forces. Moses was so successful that he continued on to Saba, the royal city of Ethiopia, to besiege it. Tharbis, daughter of the king of Ethiopia, happened to see Moses as he led the army near the walls, fell in love with him, and offered herself in marriage to him. Moses accepted the offer on condition that she would "procure the delivering up of the city," which she did, and "when Moses had cut off the Ethiopians, he gave thanks to God, and consummated his marriage, and led the Egyptians back to their own land." The rest of his story picks up from that in Exodus.

The Jewish midrash contains another tale of Moses's pre-Midian exploits. The basic reference seems to be Targum Yerushalmi a 7<sup>th</sup> - 8<sup>th</sup> CE free-wheeling "translation" of the Torah. Not having access to the original, as it exists as a collection of fragments, I am forced to report on this via Louis Ginzberg's The Legends of the Jews, who relates the Targum's version of the story as follows. When Moses fled from Pharaoh, he ran toward Ethiopia. Kikanos, the king of Ethiopia, had meanwhile been waging war with Egypt, and while gone Balaam took over the capital of Ethiopia. Upon Kikanos's return to the capital, he learned of this rebellion and besieged the capital. Moses joined Kikanos's camp and Kikanos was so taken with him that he made Moses his commander-in-chief. The siege lasted nine years, at which point Kikanos died, Moses was made king of Ethiopia, was given Kikanos's widow Adoniah for wife. Moses took over the capital and reigned as king of Ethiopia for forty years. In that time he had no sexual relations with Adoniah, so that she decided to promote her son Monarchos as king. The Ethiopians agreed to this, and Moses, at age 67, journeyed on to Midian.

Note that in the Josephus version Moses consummated his marriage, whereas in the Targum version he did not. The Targum goes on to say that the reason Moses did not was that he remembered the instructions of Abraham to Eliezer to not find a wife for Isaac from the daughters of the Canaanites (Genesis 24:3), and similar instructions from Isaac to Jacob (Genesis 28:1), along with an addendum (not in the Torah) not to marry any of the children of Ham (who was the progenitor of the Ethiopians). I leave it to you to decide for yourself which, if either, version you prefer.

In his Moses: Pharaoh of Egypt (Grafton Books: London 1990) Ahmed Osman postulates that Moses was really the Pharaoh Akhenatan, aka Amenhotep IV. In 1997 Judith Tarr wrote a novel, Pillar of Fire, based on this theory. In that novel Akhenatan feigns death and leaves Egypt to seek a monotheistic God. In the process he changes his name to Moshe, marries Zipporah, and finds God at the burning bush. Akhenatan's daughter/wife Ankhesenpaaten leaves Egypt with a Hebrew couple to join her father, and she changes her name to Miriam. This is definitely a novel worth missing.

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STONES AT THE CEMETERY

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The following June 26, 2001 Chicago Tribune's Dear Abby column piqued my penchant for research.

## Jewish tradition has origins in desert

**D**ear Abby: My letter is in reference to the question about the Jewish practice of leaving stones at someone's grave. The rabbi whom you consulted said the stones signify that someone has visited the grave to honor the deceased; the money that would have been spent on flowers is donated to charity. Viewed from the mystical perspective, it symbolizes that the body returns to dust and the soul returns to God:

The custom has ancient and practical origins: We Jews were originally a desert people. We used to bury our dead in the sand without a casket and covered the grave with stones, to mark the spot and prevent animals from digging up and devouring the body.

Upon visiting a grave, it was considered a "mitzvah" or good deed — to add stones to replace those moved by the wind or animals. This helped to preserve the integrity of the grave.

The practice of leaving stones at the grave derives from that tradition. The idea of giving to charity is probably a later development.

— Rabbi Jacques Cukierkorn, Kansas City, Mo.



### Dear Abby

**Dear Rabbi Cukierkorn: Your explanation is corroborated by more than a dozen letters. Read on:**

Dear Abby: I have no doubt that your reference source was correct regarding why stones are placed on Jewish graves instead of flowers. However, I was always told that it was because stones are everlasting, and flowers die. (Just my 2 cents!)

— Avid Reader,  
Canyon Country, Calif.

**Dear Avid: Pennies from heaven? Read on:**

Dear Abby: In response to why stones are placed on graves in Jewish cemeteries — you need only go to the Book of Joshua in the Old Testament to find the answer. God instructed the people to gather stones and place them in a pile after crossing the Jordan River:

"In the future, when your children ask you, 'What do these stones mean?' tell them that the flow of the Jordan was cut off before the ark of the covenant of the Lord. When it crossed the Jordan, the waters of the Jordan were cut off. These stones are to be a memorial to the people of Israel forever."

— Becky In Arizona

**Dear Becky: How interesting! You're the only reader who quoted chapter and verse on the subject. Read on:**

Dear Abby: The practice started in the old country. They didn't have monuments because they couldn't afford them. So they gathered many small stones and formed a pyramid at the gravesite. When people visited the grave, they would replace any stones that had fallen off.

— Louis Hyman (Age 83),  
Delray Beach, Fla.

**Dear Louis — And All You Dear Readers Who Wrote To Comment: Thank you for your input.**

Dear Abby is written by Pauline Phillips and daughter Jeanne Phillips.

Unfortunately, I know of no source that connects Becky In Arizona's reference of the twelve stones in Joshua 4:4-9 to the custom of leaving stones at someone's grave. The only mention of this custom in the rabbinic legal literature is in the Ba'er Heitev commentary on the Orach Chayim section of the Shulchan Aruch. This commentary was written in 1723 by Rabbi Yehuda ben Shimon of Tiktin, Poland. In it (chapter 224, section 8) he cited a sermon of the Maharash of Vienna (Rabbi Shalom ben Yizhak, 1350-1413, author of Derashot Maharash, aka Hilchot uMinhagei Rav Shalom), in which he described the prayer that the Maharash recited when visiting a grave, and "also wrote that one puts grass or a pebble on the gravestone for no other reason than that of honoring the dead, to indicate that he has been at the grave."

עוד כתב מות שתולשין עשב או צרור ומשימין על מצבה אינו אלא משום כבוד המת להראות שהוא היה על קברו

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ARCHAEOLOGY AND THE BIBLE

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Last Passover's sermon by Rabbi David Wolpe of Sinai Temple, a major Los Angeles Conservative congregation, in which he is reported to have said that the Exodus never happened, sent shock waves throughout the Jewish community nationwide. Though he never explicitly attributed the theme of his sermon to Israel Finkelstein and Neil Asher Silberman, his argument was taken directly from Chapter 2 of their book, The Bible Unearthed: Archaeology's New Vision of Ancient Israel and the Origin of its Sacred Texts, a chapter entitled "Did the Exodus Happen?" The book itself, though published in 2001, had already been cited in the September 11, 2000 issue of the Jerusalem Report as causing a stir in Israel — a stir which makes Rabbi Wolpe's use of the book tame by comparison.

The Bible Unearthed is the product of the collaboration of a Professor of Archeology at Tel Aviv University (Finkelstein), noted for his work as co-director of the Megiddo excavation, and a widely published archeological journalist (Silberman). Relative to the rest of the book, Chapter 2 is almost a thrown-in chapter. For the book was not designed to shake one's belief in the divinity of the Hebrew Bible; it was designed to shake one's belief in the primacy of the kingdom of Israel over the land that we claim as the Land of Israel.

Let me first provide a context into which this book can be viewed. The rabbis viewed the Torah as the Word of God stenographically taken down by Moses, and the Prophets and the Writings as divinely inspired. All their commentaries on the Torah were designed to illuminate what was unclear in the text. In the late nineteenth century academic (nonrabbinic) scholars of the Hebrew Bible compared and cataloged alternative word forms and spellings in variant Hebrew Bible manuscripts, as well as the variations in the canonized text itself. These scholars, today referred to as "lower critics," never were concerned about the divinity of the text, but merely about the quality of the stenography. The "higher critics" introduced the notion of multiple redactors of the manuscript that we today know as the Tanach (the Torah, Prophets, and Writings). These critics dealt only with the text, and their tools of analysis were the study of writing styles and word usage. In principle this was a pure academic exercise. Unfortunately, in practice this Higher Criticism attracted (perhaps was even founded by) anti-Semites who twisted this type of study to further their own agendas.

In more recent times we have seen the work of these "higher critics" supplemented by the findings of the archaeologists. Originally the archaeologists went, Bible in hand, to corroborate the core historical narrative of the Tanach. Unfortunately, what this exercise attracted were scholars who were no lovers of Jews and who used the archaeological findings (or lack thereof) to generate the so-called "minimalist" view that the Biblical narrative is a collection of literary fictions created in the Persian or Hellenistic periods designed to create the illusion that the Jewish religion is grounded in an earlier heroic age. They are responsible for such statements as "King David is no more real than is King Arthur."

The shock behind The Bible Unearthed is that two Jews, one a respected Israeli archaeologist, are now feeding the Palestinian cause by joining the ranks of the "minimalist" archaeologists and claiming, among other things, that the post-Exodus conquest never happened and that the "greater united Israel" of Kings Saul, David, and Solomon never existed. At a minimum we can respond by quoting William Dever, former director of the W.F. Albright Institute in Jerusalem, who says of the book that it is "an ideological manifesto, not judicious, well-balanced scholarship." And we cannot allow such works to deter our reading of the Bible as the basis for our religious beliefs, morality, and ethics.

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SOFERIM AND MASORETES

The written Torah as we know it today is vowelless, has no indications of beginnings or endings of sentences, let alone *parshiot* (the sections read as each person is called to the Torah for his *aliya*) or *sidrot* (the portions to be read each week). If one looks at the written Torah carefully, one notices some indentations, called *setumot* and *petuchot*, which appear to indicate sectional divisions. Here's an example of each, the first of a *setuma* and the second of a *petucha*:



Yet neither of these delineate the end of a *parsha*; indeed, endings of *parshiot* and even *sidrot* are not necessarily demarcated by a *setuma* or by a *petucha*. They may just run on into the next *parsha* or *sidra*.

Given the abundant availability of printed texts of the Torah, with each word vowelless, with sentences delineated by periods, and with *parshiot* and *sidrot* well marked, we are spoiled and think that ever it was thus. But it wasn't always so. In early times the text was written down in scrolls, much as it is done today, and the vocalization of the text, i.e., how each word was to be read, was transmitted orally. There were various categories of recorders of the Torah. One group were *kotvanim* ("transcribers"); another group were *lavlarim* ("librarians"). But the ones with the greatest responsibility were called *soferim*, a word that means more than just its current translation, "scribes."

These people were not merely responsible for producing an accurate scroll, including the indentations, the places where letters are to be written in either larger or smaller font than the rest (for example, the fifth letter of the opening word of the book of Leviticus: **וַיְהִי** ) and the places where other odd lettering is to be used. They were also responsible for remembering all the vocalizations.

As the text was transmitted orally, a system of cantillation of the text developed to help read and interpret the text properly. (Some Talmudic rabbis even went so far as to say that the cantillation, too, was orally transmitted to Moses at Sinai, but the 8<sup>th</sup> century CE Babylonian Gaon Natronai squelched this view.) The most critical ingredient of the system of cantillation (sometimes referred to as "tropes" or, in Hebrew, *taamei hamikra*) is the trope that delineates the end of each sentence, known as the *sof pasuk* (literally, "end of sentence") trope. By also memorizing the cantillation, along with the vocalization, of each word in the Torah, the *sofer* was able to record and pass on from generation to generation not only the text but the appropriate reading of the text.

In time a system of vowels and a system of cantillation marks was developed, at which point the *soferim* could write down their version of how the text was to be read. Needless to say, there were points of disagreement between the various written versions of the text, the major contenders being a Tiberian version and a Babylonian version. It was not until sometime after the 6<sup>th</sup> century CE and prior to the 8<sup>th</sup> century CE that the so-called *masorettes* established the text that we use today. These rabbis (Asher the Elder, his son, and grandson being the most prominent) studied the variant texts and concluded primarily in favor of the Tiberian version. Because the word *masoret* is today translated as

“tradition,” coming from the root word *masor* (“to hand over”), the Masoretic text of the Torah is mistakenly thought to mean “the text as it was handed over through the generations from Sinai.” The word *masoret*, though, is found in Ezekiel 20:37 to mean “gathered and bound,” an apt description of what the *masoretes* did with the Torah.

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## A CAREFUL LOOK AT THE MASORETIC TEXT

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One of the most intriguing aspects of the Masoretic text of the Torah is the variations in spelling of various words. The most egregious occurs in Genesis, where the word *toldot* is spelled four different ways: תולדות in Genesis 2:4, תולד in Genesis 5:1, 6:9, 10:1, 11:10, 11:27, and 25:19, ת'לד in Genesis 25:12, and ת'לדות in Genesis 36:1, 36:9, and 37:2. As James Barr, Regius Professor of Hebrew at Oxford University, puts it in his The Variable Spellings of the Hebrew Bible (1989 Oxford Press), "...the obvious character of biblical spelling is its *haphazardness*." He concludes that "the Masoretic text has the spellings that it has because one particular manuscript, or one small group of manuscripts, was decreed to be authoritative, and the spellings that happened to be within that manuscripts thereby became more or less normative."

One example that indicates that indeed other spellings than that which we have today were extant in the past is an analysis of the word *l'totafot* ("frontlets", i.e., the part of the *tefillin* that is worn on the head). It occurs three times in the Torah, spelled ל'טוֹפֹת in Exodus 13:16 and Deuteronomy 11:18 and ל'טֹפֹת in Deuteronomy 6:8. Notice that none of these had the full ות ending that is the typical plural ending. Yet the Talmud says that the "defective" spelling ל'טֹפֹת occurs twice, as follows:

Sanhedrin 4b (שמות יג) לטמפת (דברים ו) לטמפת (דברים יא) לטמפות  
Zevachim 37b (דברים ו) לטמפת (דברים יא) לטמפת (שמות יג) לטמפות  
Menachot 34b לטמפת לטמפת לטמפת

Notice that in the Soncino edition of the Talmud, from which the above is copied, the attribution of the "defective" spellings varies. Sanhedrin attributes ל'טֹפֹת to Exodus 13:16 and Deuteronomy 6:8, Zevachim attributes ל'טֹפֹת to Deuteronomy 6:8 and 11:18, and Menachot gives no attribution. Note also that the last of the trio is spelled לטמפות, with a ות ending, in both Sanhedrin and Zevachim, even though that ending does not appear in the Masoretic text!

The Talmud uses this variation in spelling to "deduce" that the frontlet should contain four compartments, each containing a scroll. As Steinsaltz puts it in his translation and commentary on Sanhedrin 4b, "In two instances the word *totafot* is spelled in a defective manner, and so is taken as a singular form, implying a single *totefet*,... in the third instance the word is spelled plene (i.e., in full) and so is taken as a plural form, implying two compartments. Thus, according to Rabbi Ishmael,  $1 + 1 + 2 = 4$ , the number of compartments in the *shel rosh*, the headpiece of the *tefillin*. Rabbi Akiva differs, basing his interpretation of why there are four compartments on the "defective" spelling לטמפת, noting that טט in Katfi means 2 and פת in Afriki means 2, so לטמפת means  $2 + 2 = 4$ .) So you see that even in Talmudic times the text of the Torah was not that which we read today. (I also note in passing that the Steinsaltz edition of Sanhedrin makes the text jibe with the Masoretic text, i.e., he prints it as לטמפת לטמפת לטמפת, even though the inference that follows is based on the nonMasoretic text (לטמפת לטמפת לטמפת!))

And now you know why I take no stock in the "Bible code" computations. Any system that is based on proximity of letters in a text whose authoritative spelling did not take effect until the eighth century CE has to also make the major assumption that all the author of the code knew in advance how each word would end up being spelled in the definitive text. A redaction in which all the plurals end in a common ות ending, in which the eleven instances of *toldot* are all spelled תולדות, and all the other spelling variations are repaired, would totally throw off all the inferences made by the Bible coders.

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## WHAT YOU SEES AIN'T WHAT YOU HEARS

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One of the unique aspects of the Masoretic text of the Chumash is that certain spellings have been preserved in the written text even though the words are read differently. A simple example is the word **והיה** of Numbers 34:4. On first encountering that word, one would think that it should be vocalized as **והִיָּה**. But that is not the case. The Masoretic text tells us that the word should be vocalized as if it were spelled **והיו**. The Art Scroll Chumash makes this clear by printing the Torah text unvocalized as **והיה** (see page 924) and appends a ° to the right of the word, referring the reader to the margin, where the note **° והיו ק'** appears. (The **ק'** is shorthand for **קרי**, “read;” its counterpart is the **כ'** which is shorthand for **כתיב**, “written.”) The Hertz Chumash attempts to vocalize the misspelled word (see page 717) as **והִיָּה** and puts a \* above the word, referring the reader to a footnote, which reads **והיו ק' .<sup>v.4</sup>** (By contrast, the Koren edition of the Chumash, published in Israel, takes the opposite approach, publishing the text as it is to be read and alerting the reader by footnote of the written text, in this case **(כ' והיה)**.)

Not all of these variations between written and read text are footnoted. For example, the Torah is replete with the word spelled **הוא** to be read as **הִוא** (“she”) and not **הוא** (“he”), so much so that no footnote is given for these manifold occurrences. Instead each instance of this text is printed with vocalization in accordance with its pronunciation, but the letters appearing as **הוא** (viz., **הִוא** and **הוא**). (To my mind this happened because a scribe’s pen slipped in writing the **י** and it came out looking like a **ו**, and was forever codified this way. I’m sure that there are other rabbinic and etymological explanations.)

Sometimes the Rabbis are puzzled by the spelling and/or vocalization of a word in the Masoretic text. An example is the word **מִפְּנֵי** in Numbers 33:8. The Rabbis believe the word should be **מִפִּי** but the text is not corrected. After all, the Masoretic text has made no such correction, not even a statement that the word should be written as **מִפְּנֵי** and read as **מִפִּי**. Hertz (page 714) puts a \* above the word and includes the footnote **מִבְּרִינ מִפִּי .<sup>v.8</sup>** to indicate that the text includes a doubtful word that should be interpreted by the reader as per the footnote. (The word **מִבְּרִינ** means “we reason”.) The Art Scroll is silent on these words, probably because including such a footnote will raise doubts as to the validity of the Masoretic text.

Hertz also alerts the reader to other unusual pronunciations, each induced by particular cantillation marks (“tropes”) with which these words are chanted. The word **וַיִּנְחֲלוּ** in Numbers 35:8 is asterisked and the footnote reads **קמין בז"ק**, to indicate that the cantillation mark **˘** (called in Hebrew **קמין**) above the **ח** renders the reading of the letter as **חָ** (i.e, vocalized with a **קמין**, a **חָ**) instead of the usual **ח**. (The footnote means “the **חָ** is there because of the **קמין**”.) The word **וַיִּפְּסֹח** in Numbers 9:2 is asterisked and the footnote reads **קמין בתרהא**, to indicate that the cantillation mark **ֿ** (usually called in Hebrew **תפהא** but called **תרהא** by the Rabbis) below the **פ** renders the reading of the letter as **פֿ** instead of the usual **פּ**. And the word **וַיִּפְּר** in Numbers 15:31 is asterisked and the footnote reads **פתח באתנה**, to indicate that the cantillation mark **ֿ** (called in Hebrew **אתנהא**) below the **פ** alters the vocalization of the letter from what it would normally be, **פּ**, to **פֿ**. Numbers 21:13 has an example of a **וַיִּפְּר** induced by the **˘** cantillation mark, and Numbers 23:24 is an example of a **וַיִּפְּר** induced by the **˘** cantillation mark.

As you can see from this, the vocalization of the Masoretic text of the Chumash is a byproduct of its cantillation and the oral correction of some scribal text, and that these corrections, too, are not the complete set.

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## FAQS ABOUT THE TORAH

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Those of you who have been following the front page of this bulletin for the last three months will have noticed that there was an underlying theme to these essays. They were an attempt to marshal evidence that the Torah that we read today is not the same Torah read centuries ago. In April's bulletin I illustrated, by reference to a conclusion reached in the Talmud based on an analysis of quoted Torah text different from that of our Torah of today, that today's accepted Torah text (the so-called Masoretic text) was not the text in use then. In May's bulletin I introduced not only the known misspellings (words which are spelled one way in the text and which are vocalized another way ... my favorite example being the word in Deuteronomy 28:24 spelled ובעפלים and read ובטחרים) but also the words that the Rabbis footnoted to indicate that the word is doubtful and should be interpreted instead as the word given in the footnote (I gave as an example the word מופני in Numbers 33:8, which the Rabbis believe should be מפי, but where the Torah text is not corrected). And in both the March and May bulletins I indicated that the system of cantillation was quite ancient, in that the cantillation marks delineated the sentence endings of the Torah text (see March bulletin for details) and influenced the pronunciation of words in the Torah (see May bulletin for details).

I'd like to wrap this subject up by answering some FAQs (Frequently Asked Questions, for those unfamiliar with computer lingo) about the Torah.

Q. When and how did the Rabbis settle on the text as used today?

A. The text we use today is that of the Tiberian Masoretes, primarily developed by five generations of the Ben Asher family who lived in Tiberias between 780 and 830 CE. In Hilchot Sefer Torah 8:4, written in the late twelfth century, Maimonides cites the Ben Asher manuscript as the definitive version of the text. The first printed edition of the Masoretic text was by Jacob ben Chayim in Venice in 1524.

Q. Do we have a copy of the Ben Asher manuscript today?

A. In Hilchot Sefer Torah 8:4 Maimonides refers to a manuscript known in Egypt to have been in Jerusalem and which everyone accepted as authoritative. Scholars today believe that this manuscript is the Aleppo Codex, written in Israel in the early tenth century, transferred to Egypt at the end of the eleventh century, moved to the Aleppo, Syria community at the end of the fourteenth century, and what was salvaged from the riots in Syria of 1947 was brought to Jerusalem in 1958. Only the last six chapters of the Torah have survived, and they are exhibited in the Shrine of the Book at the Israel Museum in Jerusalem.

Q. What is the origin of the chapter structure of the Torah?

A. The division into chapters was established in the thirteenth century by Archbishop Stephen Langton of Canterbury, England. Rabbi Salomon ben Ismael was the first to adopt the Christian division, in his 1330 edition of the Torah. The first printed edition of the Torah with the chapter and verse structure was published in 1571.

Q. What is the origin of the verse structure of the Torah?

A. As I indicated in the March bulletin, the *sof pasuk* cantillation mark delineated the end of each verse, so that the verse structure was quite ancient. The numbering of the verses, though, is based on a manuscript of the Vulgate, a translation of the Bible into Latin undertaken by the church father Jerome between 390 and 405 CE. Even the verse structure is subject to variation. Look at Exodus 20:13, containing the sixth, seventh, eighth, and ninth commandments. In both the Art Scroll and Hertz chumash the four commandments are itemized as one verse (as is the case in the Gideon Bible). But in my Chumash published by Sinai Publishing of Tel Aviv in 1962 these commandments are given verse numbers 13, 14, 15, and 16.

Q. What is the origin of the division of the Torah into five books?

A. This is quite ancient. Both the Minor Talmudic Tractate Soferim 2:4 and the Jerusalem Talmud Megillah 22a instruct the Torah scribe to insert four blank lines inserted between each of the books.

Q. What is the origin of the division of the Torah into weekly readings?

A. Sabbath Torah readings existed as early as the middle of the second century BCE. By Talmudic times, that is, by the first century CE, the regular reading of the Torah was such an ancient established institution that it was attributed to Moses. The *parashiot*, or weekly portions of Torah readings as we have them today (sometimes referred to as the *sidrot* of the week, or, the “*sedras*” of the week), were established in Babylonia in pre-Talmudic times. The Torah was divided into 54 portions which were to be read sequentially during the year, and some of these portions are referred to in Babylonian Talmud Megillah 29b. In Palestine, on the other hand, the Torah was divided into 154 *sedarim* (or perhaps it was 141, or 167, or even 175...scholars debate on the number of these portions) which were to be read sequentially over a three year period, in a Triennial Cycle. (A treatise from the time of the Gaonim indicates that “the people of Palestine celebrated Simchat Torah only once in 3 ½ years, and the day for reading a given section in a district is not the same as in another.”)

Q. What is the origin of the division of the weekly readings into *aliyot*?

A. The Mishnah (Megillah 4:2) rules that there are to be seven people called to the Torah on Sabbath. As each person had to climb up to a raised platform from which the Torah was read, it was said that he was given an *aliya*, a “rise.” Thus each *parasha* was divided into seven portions, called *aliyot* (though some people refer to these portions as “*parshot*,” or “*parshas*” in Ashkenazit). Though the *stumot* and *petuchot* spacings in the Torah (which I described in the March bulletin) were quite ancient, they did not always serve as the definitions of the divisions of the weekly portions into *aliyot*. The beginnings of some of the *aliyot* coincide with the beginnings of the weekly portions in the Palestinian Triennial Cycle. And the origin for others is not clear. I’ll keep on searching until I can pin it down further.

Q. What’s the origin of the names Genesis, Exodus, Leviticus, Numbers, and Deuteronomy for the five books of the Torah?

A. Though the non-Hebrew naming of the books is based on the Septuagint, the second century CE translation into Greek, the names reflect early Jewish traditions. For example, the book במדבר, literally “in the desert,” was named Ἀριθμοί (read “arithmoi”) in the Septuagint, from which we get the name Numbers. But במדבר is referred to in Yoma 80a as חומש הפקודים, the “*chumash* of counting.” And the book דברים, literally “words,” is referred to in Avoda Zarah 25a as משנה תורה, the “repetition of the Torah,” whence we get the name Deuteronomy

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## THE 38 YEAR ISRAELITE HIDEOUT

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In the story of the spies we are told (Numbers 13:26) that “they [the spies] went straight to Moses and Aaron and the whole Israelite community at Kadesh in the wilderness of Paran...” As the episode of the spies occurred in year 2 of the escape from Egypt, we know that the Israelites were in Kadesh in year 2. And, as we all know, based on the report of the spies God decided to let the Israelites “roam the wilderness for forty years” (Numbers 14:33). Deuteronomy 2:14 says, “The time we spent in travel from Kadesh-barnea until we crossed the wadi Zered was thirty-eight years.” So it appears that Kadesh/Kadesh-barnea was the starting point for a 38 year wandering of the Israelites. (You may think that I tried to slip one by you, identifying the Kadesh-barnea mentioned in Deuteronomy 2:14 with Kadesh. But when Joshua retells the episode of the spies, he refers to his starting point as Kadesh-barnea (Joshua 14:7).)

Sometime later (Numbers 20:1) we are told “The Israelites arrived in a body at the wilderness of Zin ... and the people stayed at Kadesh, and Miriam died there and was buried there.” Though it is not stated so explicitly, tradition has it that Miriam died in the fortieth year of the Israelite wandering. And Numbers 33:36-38 tells us, “They ... encamped in the wilderness of Zin, that is Kadesh. They set out from Kadesh and encamped at Mount Hor... Aaron the priest ascended Mount Hor at the command of the Lord and died there, in the fortieth year after the Israelites had left the land of Egypt.” So it appears that Kadesh was an ending point for a 38 year wandering of the Israelites.

An interesting reference to Kadesh is Deuteronomy 1:46, which the Art Scroll translates as “You dwelt in Kadesh for many days, as many days as you dwelt.” Rashi interprets the last phrase to mean “as many days as you dwelt elsewhere,” and therefore infers that the Israelites dwelt in Kadesh for 19 years (and elsewhere for 19 years).

Ibn Ezra tries to get around this problem of Kadesh being both a starting point and an ending point by saying that Kadesh-barnea was a town separate from Kadesh. He interprets Numbers 33:16, “They set out from the wilderness of Sinai and encamped at Kibroth-hataavah,” as referring to Kadesh-barnea. To back this some rabbis say that Kadesh-barnea, the starting point, was in the wilderness of Paran whereas Kadesh, the ending point, was in the wilderness of Zin. But Numbers 13:26 says plainly that Kadesh is in the wilderness of Paran. So how could Kadesh be both in the wilderness of Paran (Numbers 13:26) and the wilderness of Zin (Numbers 20:1)? Simple. The wilderness of Zin was part of a vaster wilderness, the wilderness of Paran, which may have been the ancient name for the entire Sinai Peninsula. (Some scholars take a different tack, reconciling this by saying that Kadesh was on the border of both wildernesses.)

My take on this is that Kadesh and Kadesh-barnea are in the same vicinity, a group of oases 50 miles south of Beersheba, one of which still is called Ain Kadesh. If the Israelites had stayed in Kadesh for 38 years, Kadesh would have had a source of water. Yet the famous incident of Moses smiting the rock to emit water took place in Kadesh (see Numbers 20). Geographers tell us that Ain Kadesh has very little water, and goes dry in drought years. Yet nearby Ein el-Qudeirat has ample water. So perhaps this is the site of Kadesh-barnea, and this is where the Israelites camped for most of the period. In his 1968 book The Sinai Journeys Professor Menashe Harel speculates that Kadesh-barnea was taken over by the Amalekites, thereby forcing the Israelites to move to Kadesh, leading to the complaint about lack of water. Another view of this, to be expanded at a later date, is that there were really two waves of migration to Canaan, and that the routes of the two migrations were intermingled in the Numbers and Deuteronomy narratives. (For those who want to read ahead on this matter, see pages 201-6 of Aharoni's The Land of the Bible: A Historical Geography.)

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## TWO WAYS TO STAND

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אתם נצבים היום כלכם לפני ה' אלוהיכם

You stand this day, all of you, before the Lord your God

With these words we open the Torah portion that serves as the prelude to Rosh Hashana (Deuteronomy 29:9). This phrase is a precursor to what Jews do during the Days of Awe. No, I don't mean the "Jewish calisthenics" associated with the holiday services of standing up, sitting down, standing up, etc. The connotation that the season renders to the word "stand" is "stand in judgement."

What is unusual is the selection of the Hebrew word **נצבים** rather than the usual word **עמדים**. Not that Moses doesn't use the word **עמד** in this oration in referring to the stance of the Israelites during this oration— further on in Deuteronomy 29:14 he does so when he says "but both with those who are standing here with us this day..." Clearly the choice of the word **נצב** connotes something special about this "standing."

One way of tracking down the distinction is to look at the Aramaic translation of the Bible by Onkelus. This translation was written in 81 CE by a convert to Judaism who had studied with Reb Yehoshua ben Chananyah and Reb Eliezer ben Hyrkanos, two leaders of the Sanhedrin, and is based on their teachings. There I find that **נצבים** is translated as **קימין**, and the word **עמד** in Deuteronomy 29:14 is translated as **קאם**, clearly Aramaic words of the same root, a cognate of the Hebrew **קם**, which means to "stand up" or "arise." No clue there!

But if we look at the various uses of the word **נצב** in the Chumash and their associated Aramaic translations by Onkelus we find an interesting phenomenon. Almost everywhere the word **נצב** and its other verb forms are translated as **קאם**. But there are three instances when the translation is quite different. One is when the form **ויתיצבו** is used in Exodus 20:17 in describing the Israelites "standing" before Mount Sinai. There the Aramaic translation is **ואתעתדו**, whose root form is **עתוד**. A second use of this form is in the context of the story of Bilam, where the angel stood in the path of Bilam's ass, and his "standing" is referred to by the verb **נצב** in Numbers 22:23, 31, 34, 23:6, 17. There Onkelus translates **נצב** as **מענתד**, clearly from the same root **עתוד**. The third use of this form is where Moses is commanded to go before Pharaoh (Exodus 8:16), and where he actually does so (Exodus 9:13), where **והתיצב** is used and translated into Aramaic as **ואתעתד**.

Numbers Rabbah 8.13 says of this word, **ואין עתודים אלא לשון עמידה**, "and the word **עתוד** is merely another form of the word meaning 'standing'." But the context of the word **עתוד** is one of "standing in readiness." (One way to see that reading of the word **עתוד** is to consider its Hebrew cognate, **עתיד**, which means "future.") Thus, based on the Aramaic, the word **נצב** has two kinds of meanings. One is that of "standing in anticipation," as the Israelites did at Mount Sinai, as the angel did in anticipation of Bilam's continuation on his ride to curse the Israelites, and as Moses did in his first encounter with Pharaoh. The other is the kind of "standing" that the Jews did before Moses's final oration.

So the sermonizers who translate the **נצבים** of Deuteronomy 29:9 as an anticipatory standing, tying it into the Days of Awe, are taking sermonical license with their translation. In the context of Deuteronomy, all that's meant by **נצבים** is that the Israelites arose to hear the oration. Nonetheless, this translation makes for a superb wake up call.

גמר חתימה טובה

*(This bulletin was inspired by some remarks made to me by Moshe Pollak, Professor of Statistics at Hebrew University, while riding a vaporetta in Venice. Your editor never vacations; he's always on the lookout for bulletin material.)*

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## RABBI DR. ELIEZER BERKOVITS--WHY A WEEKEND IN HIS HONOR?

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Four synagogues in the Chicago area, Anshe Sholom, Kehilath Jacob, Or Torah, and Lake Shore Drive Synagogue, are conducting a community-wide Shabbaton weekend on October 25-26 to celebrate the works of the late Rabbi Eliezer Berkovitz. Eliezer Berkovitz was born in Romania in 1908, and received his rabbinical ordination at the Hildesheimer Rabbinical Seminary in Berlin and his doctorate in philosophy from the University of Berlin in the 1930s. After escaping Germany in 1938, R' Berkovitz served as a communal rabbi in Leeds, England, Sydney, Australia, and Boston, before assuming the chair of the philosophy department at the Hebrew Theological College in Chicago in 1958. In 1975 R' Berkovitz relocated to Jerusalem, where he lived and worked until his death in 1992. Over the course of his career R' Berkovitz wrote 19 books, as well as many articles, which, while demonstrating an unflinching devotion to Orthodox Judaism, nevertheless reflected a sharp discontent with the dramatic changes that Orthodoxy had undergone during his lifetime.

Of these I recommend his Not in Heaven: The Nature and Function of Halakha published in 1983 as an English abridgement of his 1981 Hahalacha, Kocka V'Tafkida. This book has been reviewed by Rabbi Chaim Twerski, professor of philosophy at the Hebrew Theological College, in the November 2001 issue of the Academic Journal of Hebrew Theological College. He says of this book, "...no one hitherto who identifies his religious views within the framework of Orthodox Judaism has presented to the public concepts and ideas which so closely resemble the ideology of Conservative Judaism."

R' Berkovitz defines Halakha as "the wisdom of the application of the written word of the Torah to the life and history of the Jewish people." Thus, "the field of application [of the Halakha] narrows to the extent to which control over their lives falls from the hands of the people," i.e., when the Jewish people are exiled from their homeland. But, he argues, with the advent of the Jewish state of Israel one has an opportunity to revisit the Halakha. "The new reality of the State of Israel demands an understanding of what Halakha is about in its original, classic sense. The *Torah she'baal'Peh* [Oral Law] has to be freed from its *Galut*[Diaspora]-imposed shackles." And in his book R' Berkovitz outlines how this can be done.

Unfortunately, R' Berkovitz says, "(t)he accepted halakhic authorities and teachers of today are incapable of functioning in a Sanhedrin." To this R' Twerski snidely comments (with no source citation), "According to Dr. Berkowitz [sic], the last remaining suitable candidate perished with his own demise." In any event, the Hebrew Theological College, and many of its affiliated rabbis and congregations, are not participating in the weekend event.

Rabbi Tzvi Hersh Weinreb recently took over as Executive Vice President of the Orthodox Union (known to us as OU). His statement that R' Berkovitz's philosophy should be viewed as a model for 21<sup>st</sup> century Orthodoxy, and the fact that he will be present in Chicago to participate in this weekend honoring the memory of R' Berkovitz, is a welcome indication of the legitimacy of R' Berkovitz's approach to the Orthodoxy of the future.

Lake Shore Drive Synagogue is honored to participate in the October 25-26 Shabbaton weekend and to have as its guest Avraham Berkovitz, Eliezer's oldest son, who will speak at our erev Shabbat dinner on **Biblical Concepts of Morality** and on Shabbat on **Thoughts on the Akeidah**. For dinner reservations please contact the synagogue office.

### WHAT DID THE TABLETS LOOK LIKE?

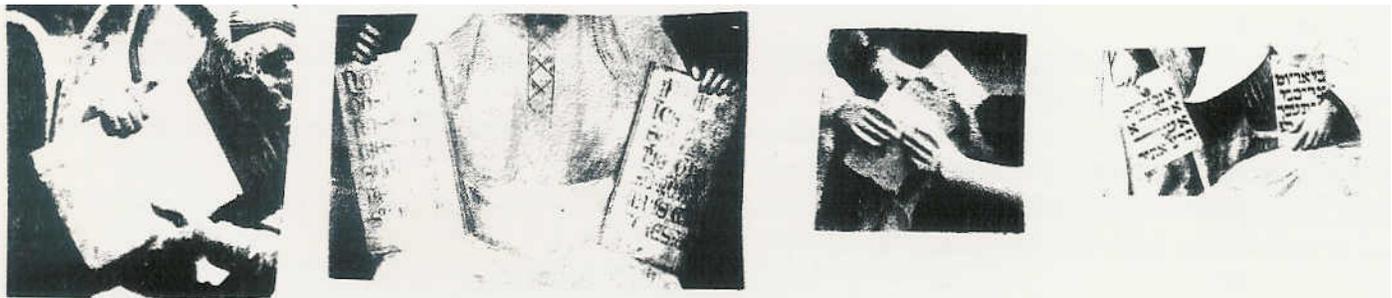
If someone were to ask you to draw a picture of the tablets containing the ten commandments, you would undoubtedly draw two connected rectangles with a semicircular arch at the top of each tablet. This is the form that you see in synagogues today, as well as in artistic renditions of the tablets. Yet Baba Batra 14a says, *והלוחות, ארכן ששה ורחבן ששה ועביין שלשה* "and the tablets, their length was 6 and their breadth was 6 and their thickness was 3". So according to this the tablets were square.

Interestingly, my version of the Jerusalem Shekalim 25a reads: *ארכו ששה טפחים רחבו (שלשה) ששה*, "their length was 6 handbreadths, their breadth was (3) 6." It has been suggested that the Jerusalem Talmud's use of 3 was erroneous, and thus was parenthesized and replaced with 6. This is consistent with two other citations in the Jerusalem Talmud, Sotah 8:3 and Taanit 4:5. But if the 3 were correct, then the tablets would have been rectangular. In none of these citations is there a mention of an arch.

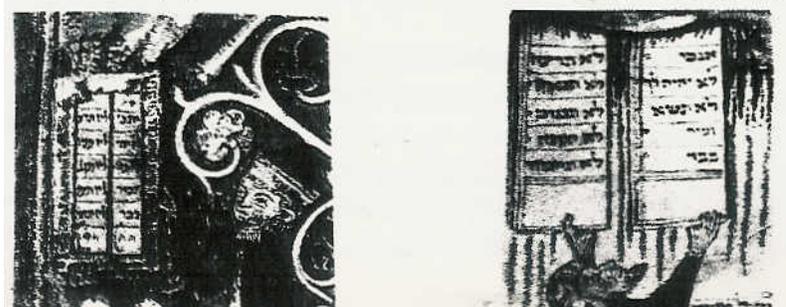
The earliest artistic depictions of Moses's receipt of the Ten Commandments were not as tablets, but rather as a scroll. Here is one such, an enlargement of a section of a wooden panel of a door of the Santa Sabina church in Rome, dated 430 CE.



The following are a few representations of the rectangular form of the tablets. Note that the tablets are separate in these depictions. They are taken from various Italian church art: 12<sup>th</sup> century Lucca, 14<sup>th</sup> century Florence, 15<sup>th</sup> century Venice (Doge's Palace), and 15<sup>th</sup> century Orvieto.



Jewish art also portrayed the tablets as rectangular. Here are snippets from the Tripartite Mahzor, printed in Germany in 1320 and from the Rothschild Siddur, printed in Florence in 1492. Note that in the Tripartite Mahzor the tablets are inside a frame, like a Christian diptych. This was another common form of depiction of the tablets.



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## WITH WHICH VERSE DOES THE SECOND COMMANDMENT BEGIN?

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When Paula and I were on the Jewish Historical Seminars tour of the Piedmont area in Northern Italy, we were struck by the listing of the Ten Commandments in a few of the synagogues. To the right is an example of such a listing, from an ark from Conegliano Veneto, completed in 1701, and now in the Italian Synagogue in Jerusalem. Compare this to the listing found in our synagogue. What you will note is that the second commandment is different.

Instead of **לֹא יִהְיֶה לִּי** (the first two words of Exodus 20:2) the words **לֹא תַעֲשֶׂה** (the first two words of Exodus 20:3) appear. We were told that these depictions were of the 18<sup>th</sup> century, typically found in Italy. We wondered what was the origin of this. Was this perhaps the influence of the Catholics?

Let us look carefully at the text of Exodus 20:2-6, the verses from which commandments one and two are constructed:

20:2--(אֲנִי יי) I am the Lord they God, who brought thee out of the land of Egypt, out of the house of bondage.

20:3--(לֹא יִהְיֶה) Thou shalt have no other gods before me.

20:4--(לֹא תַעֲשֶׂה) Thou shalt not make unto thee a graven image, nor any manner of likeness, of any thing that is in the heaven above, or that is in the earth beneath, or that is in the water under the earth;

20:5-- thou shalt not bow down unto them, nor serve them; for I the Lord thy God am a jealous God, visiting the iniquity of the fathers upon the children unto the third and fourth generation of them that hate Me;

20:6-- and showing mercy unto the thousandth generation of them that love Me and keep My commandments.

The standard rabbinic Jewish delineation takes Exodus 20:2 as the First Commandment and Exodus 20:3-6 as the Second Commandment. The primary citation for this delineation is the midrashic work Mechilta d'Rabbi Ishmael, written between 120 and 140 CE. Nonetheless, in his Antiquities III.5, also written in the first century CE, the Jewish historian Josephus makes Exodus 20:2-3 the First Commandment and Exodus 20:4-6 the Second Commandment. And in section XII of his A Treatise Concerning the Ten Commandments, written in the first half of the first century CE, the Jewish philosopher Philo also presents this division of the first two commandments. Though both of these have historical relevance, neither are recognized by the rabbinic literature. Nonetheless, perhaps in recognition of this historical precedent, the newly published translation of the Torah by the United Synagogue of Conservative Judaism, Etz Hayim, has decided to delineate the first two commandments in accordance with the Philo-Josephus division.

Despite the rabbinic delineation, there was still a difference of opinion on the delineation of the commandments well into the 12<sup>th</sup> century CE. Ibn Ezra, for example, takes Exodus 20:2 as an introductory comment, not a commandment, takes Exodus 20:3-6 as the First Commandment, and gets to ten by splitting Exodus 20:14, the traditional Tenth Commandment ("Thou shalt not covet thy neighbor's house; thou shalt not covet thy neighbor's wife, nor his manservant, nor his maid-servant, nor his ox, nor his ass, nor any thing that is thy neighbor's"), into two commandments, at the semi-colon.



The Catholic church follows Augustine's division, in which the First Commandment is Exodus 20:2-6, and gets to ten by using the Ibn Ezra split of Exodus 20:14. So this use of **לא תעשה** as the Second Commandment cannot be the result of Catholic influence. It is the case that the Protestants follow Calvin's division, which is the same as that of Philo and Josephus. But it's hard to believe that the Protestant influence reached the Jewish community in Italy.

So how could this use of **לא תעשה** have occurred? Scholars are puzzled. In his "The Tablets as Symbol of Judaism," Gad Sarfatti of Bar Ilan University says, "The question awaits an answer." (I guess this is the scholarly version of the phrase which appears 321 times in the Talmud, **תיקו**, an acronym for the phrase **קושיות ואבעיות תשב**, literally translated as "Tishbi (i.e., Elijah) will resolve the questions and searches," figuratively translated "you'll have to wait until the Messiah comes to get a resolution to this question.")

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## LIKE FATHER, LIKE SON

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In his November 9 *d'var torah* entitled "Like Father, Like Son," David Newberger reminded us that there were three distinct stories in Genesis in which one of our forefathers passed his wife off as his sister. In the first, Genesis 12, Abraham and Sarah go to Egypt to escape a famine. In the second, Genesis 20, Abraham and Sarah go to Gerar after the destruction of Sodom and Gomorrah, for no reason apparent in the text (though the Midrash comes up with two, loneliness in a now-desolate environment and to get away from the gossip about Lot's daughters). In the third, Genesis 26, Isaac and Rebecca go to Gerar to escape a famine. In all cases the motivation for this action was the fear that the husband would be assassinated so that the wife would be seized.

What was the aftermath of these incidents? In the first incident Pharaoh takes Sarah into his harem, but (according to the Midrash) whenever he came near her an angel beat him with a stick, a plague (leprosy, according to the Midrash) was visited on Pharaoh and his household, and Pharaoh returned Sarah to Abraham, along with gifts, including Hagar, Pharaoh's daughter, as a servant, and the plague was rescinded. In the second incident Avimelech, king of Gerar, takes Sarah into his harem, but in his dream God tells him that he will die because of taking Sarah into his harem, and at the same time God closed up the wombs of Avimelech's household, and Avimelech returned Sarah to Abraham, along with 1,000 pieces of silver, and the wombs were reopened. In the third incident Avimelech, remembering the prior incident with Abraham and Sarah, left Rebecca untouched. But when he and others noticed that Isaac was "sporting" with Rebecca as a husband would with his wife, he confronted Isaac the truth came out, and Avimelech allowed them to stay in Gerar and he gave Isaac fields and vineyards for cultivation.

Two questions arise: (1) Why did Abraham pass off Sarah as his sister a second time? Didn't he learn from the first incident? (2) Why did Isaac pass off Rebecca as his sister? Didn't he learn from his father's experiences? With regard to question 1, there were two differences between the first and second incidents. In the first incident Abraham told Sarah to say that she was his sister (Genesis 12:13); in the second incident Abraham was the one who said that Sarah was his sister (Genesis 20:2). Given her experience in Egypt, Sarah would not have gone through with this ruse again...though Abraham was willing to do so. The other difference was that Abraham was more trusting of the Philistines of Gerar. He thought that, unlike the Egyptians, the Philistines were more law-abiding and would not abduct Sarah but rather would negotiate with him for her hand.

With regard to question 2, my best answer is that David Newberger's *d'var torah* title really is on target. This incident is only one of many. To quote from Ginsburg's The Legends of the Jews, "The life of Isaac was a faithful reflex of the life of his father. Abraham had to leave his birthplace; so also Isaac. Abraham was exposed to the risk of losing his wife; so also Isaac. The Philistines were envious of Abraham; so also of Isaac. Abraham long remained childless; so also Isaac. Abraham begot one pious son and one wicked son; so also Isaac. And finally, as in the time of Abraham, so also in the time of Isaac, a famine came upon the land." But here's where the stories differ. Isaac's reflex would have been to go to Egypt, and so God explicitly (Genesis 26:2) told him not to go to Egypt. The parallel to Abraham's life then continues, as Isaac passes off Rebecca as his sister, receives gifts from Avimelech, reopens Abraham's wells, and returns to Hebron (as did Abraham before moving on to Beer-Sheba).

There's a slight difference in the two stories in the way Isaac handled the Jacob/Esau blessings (due to Rebecca's trickery Jacob got the prime blessing) and Abraham handled the Isaac/Ishmael blessing (by God's choice Isaac got the prime blessings - Genesis 17:20-21). Again, neither Abraham nor Isaac selected the blessed. Like father, like son.

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## ETZ CHAYIM -- WHY THE CONTROVERSY?

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On March 10, 2002 the New York Times reported about the blood libel entitled "The Jewish Holiday of Purim" published in the Saudi daily Al-Rizadh, which claimed, among other things, that Jews use human blood to make Purim pastries. On March 9, 2002 the New York Times published a review of the United Synagogue of Conservative Judaism's new *chumash*, Etz Chayim, which pointed out that among the 41 essays appended to the *chumash* are ones which contain propositions denying the literal truth of the Bible. Following his reading of these two articles, Rabbi Avi Shafran, director of public affairs for the ultra-Orthodox Agudath Israel of America, wrote an essay entitled "Bible Libel," in which he points to the blood libel article and says, "One day earlier, an entirely different sort of untruth, considerably more subtle but in its own way no less shocking, appeared in the pages of The New York Times. While free of any gore or menace, it offered a sad revisionist account of its own - not of hamantaschen, but of the Torah itself." The March 22, 2002 Forward headlined its article on this essay with "Conservative Bible Like Blood Libel, Says Rabbi." Despite a joint statement from Rabbi Tzvi Hersh Weinreb, President of the Union of Orthodox Jewish Congregations of America, and Rabbi Steven Dworken ר"ע, Executive Vice President of the modern-Orthodox Rabbinical Council of America, strongly objecting to the Shafran essay, Shafran was unrepentant. In his next essay, entitled "Crossing Lines," he said, "...the theology of the former group [editors of Etz Chayim] is as dangerous to Jewish souls as the beliefs of the latter group [anti-Semites] are to Jewish bodies...However impolitic (and perhaps, in retrospect, unwise) it may have been for me to mention the two types of dangers in the same sentence, I certainly intended no slur of any Jew's good will."

But the issue has not died. The January 31, 2003 Jewish Week reported that Rabbi Meir Fund, the rabbi of the Flatbush Minyan, an Orthodox congregation in Brooklyn, directed the president of the synagogue to remove a congregant's copy of Etz Chayim from his personal book box on Saturday night and take it home. When confronted, according to the congregant the rabbi responded, "Bringing a Conservative Torah commentary into an Orthodox synagogue is like bringing a New Testament into the synagogue." The book was returned to him on the condition that he never bring it into the synagogue again. By contrast, Rabbi Saul Berman said, "I think that any educated Jew has the right and responsibility to read as broadly as possible in order to refine the nature of his own convictions, even in shul. Absolutely he should be entitled to bring that *chumash* into the shul."

I was especially taken with one phrase in the New York Times article, namely that these essays would be "perused during uninspired sermons or Torah readings at Sabbath services." This phrase describes my forays into the essays in the Hertz *chumash*. Rabbi Joseph Hertz, chief rabbi of the British Commonwealth from 1913 to 1946, was the first graduate of the Jewish Theological Seminary (yes, Virginia, he had a Conservative *smicha*!), who published his *chumash* in 1936. Rampant at that time was the so-called Higher Criticism, championed primarily by the German Biblical scholar Julius Wellhausen. And it was fascinating for me then to read Hertz's arguments against that view "during uninspired sermons or Torah readings at Sabbath services....," and even more fascinating for me now to study the works of the Higher Critics and their antagonists. Yet the Hertz *chumash*'s arrival was not without its detractors, including those who felt that even to make reference to the Higher Criticism was uncalled for in a *chumash*.

Nor was the arrival of the Art Scroll *chumash* greeted with unanimous acclamation. Professor B. Barry Levy of McGill University opened his review article of the Art Scroll Bible commentaries in the Spring 1981 issue of Tradition with the following words, "The pig is a deceptive animal, *Chazal*<sup>1</sup> tell us, because when it rests it stretches forth its cloven

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<sup>1</sup> translate as "our Sages." *Chazal* is an acronym חז"ל of the phrase meaning "our wise men, may

hooves and gives the appearance of being kosher.” In this and his longer article in Truth and Compassion, Essays on Judaism and Religion in Memory of Rabbi Dr. Solomon Frank entitled “Our Torah, Your Torah, and Their Torah: An Evaluation of the Artscroll Phenomenon,” Levy analogizes the lure of the Art Scroll *chumash* with that of the pig, in that in both cases the allure is false. In the Art Scroll, there are no problem episodes or texts. All problematic themes are whitewashed in Art Scroll by rabbinic apologetic readings and interpretations.

There’s a qualitative difference between Rabbi Shafran’s analogizing the Etz Chayim *chumash* with a blood libel and Professor Levy’s analogizing the Art Scroll *chumash* with a pig. Professor Levy studied the Art Scroll *chumash*; Rabbi Shafran relied on a New York Times review of Etz Chayim. I wonder whether Rabbi Fund has read the summary of the Higher Criticism given by Hertz (see page 198 of his *chumash*), and why he hasn’t barred it from his congregation as well. After all, he might argue, even though Hertz attempts to refute the Higher Criticism (I’ll let you judge whether or not Hertz succeeded), exposure of those ideas may lead the reader down a slippery slope and so the book should be banned.

Some of our members have donated copies of Etz Chayim to our congregation. Perhaps you should take one of these copies, to be “perused during uninspired sermons or Torah readings at Sabbath services.” Expose yourself to the ideas set forth therein. Contrast them with what you find in the Art Scroll *chumash*. And see for yourself which of the two books gives you the satisfaction of a thorough treatment of our holiest of books.

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## WHY ELIJAH?

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After our Pesach meal and the completion of the drinking of the third cup of wine, and right before the continuation of the reading of the Hallel psalms (the first two of which we had read before the meal), there is a mysterious turn of events, almost an interruption, in the Seder. We open the door and say the following: "Pour out Thy wrath upon the nations that know Thee not, and upon the kingdoms that call not upon Thy name, for they have devoured Jacob, and laid waste his habitation. Pour out Thine indignation upon them, and let the fierceness of Thine anger overtake them. Thou wilt pursue them in anger, and destroy them from under the heavens of the Lord."

We say we are opening the door to greet Elijah, and even prepare a cup of wine for him beforehand. But this reading has nothing to do with Elijah. It is taken from the Psalm dubbed "Prayer in National Disaster," Psalm 79:6-7 which we read on Tisha b'Av, the so-called "Prayer of the Persecuted" Psalms 69:25, and Lamentations 3:66, also read on Tisha b'Av. Why mix Tisha b'Av in with Pesach?

The origin of this custom of opening the doors is related to the blood libels of Europe, where Jews were accused of using the blood of Christian children in the process of baking matzos. The Jews had to open their doors to prove to their Christian neighbors that they had nothing to hide. And so this evocation of Tisha b'Av-like quotations was a natural outgrowth of the requirement to open the doors during the Seder. (In my research on these quotations, I've found 16 other verses culled from the Tanach that had been used in one Hagadah or another at this point in the Seder. So it appears that the custom was widespread, though the selection of verses was a local choice until our current version of the Hagadah was established.)

So why the cup of Elijah? As I pointed out in my essay "The Fifth Cup (and More)" in the May 2000 Bulletin, there is a controversy over whether there should be four or five cups of wine drunk at the Seder. As with all unresolved controversies in the Talmud, we say תיקו, an acronym for the phrase תשובי יתרון קושיות ואבעיות, literally translated as "Tishbi (i.e., Elijah) will resolve the questions and searches," figuratively translated "you'll have to wait until the Messiah comes to get a resolution to this question." And so we resolve the controversy at the Seder table by a compromise, a "fifth" cup for Elijah, who in the end will truly resolve this matter. And we greet Elijah singing "Eliyahu haNavi, Eliyahu haTishbi..." just as we greet him at the Havdalah service on Saturday night.

Tradition has it that Elijah is the forerunner of the Messiah. Much of this is based on the tale of his miraculous ascent to heaven by a whirlwind (see 2 Kings 2:1, 7-11). Given that the text never says that he died, legends grew about his wanderings and deeds from that time onward, including his roles as the herald of the Messiah. (For a good read on all these legends about Elijah, see Ginzberg's Legends of the Jews, Vol. IV, pages 195-235.)

It is said that one of the songs on the lips of the Six Million as they went to their deaths in the Holocaust was the *Ani Ma'amin*, the twelfth of Maimonides's Thirteen Principles of Faith (see page 179 of the Art Scroll Siddur), "I believe with complete faith in the coming of the Messiah, and even though he may delay, nevertheless I anticipate every day that he will come." The coupling of the greeting of Elijah, the precursor to the Messiah, with the reading of the passage "Pour out thy wrath..." makes the addition of this song to the Hagadah at this juncture a natural remembrance of the Shoah.

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## HERTZ AND JTS

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In the March 2003 Bulletin I pointed out that Rabbi Joseph Hertz, chief rabbi of the British Commonwealth from 1913 to 1946, was the first graduate of the Jewish Theological Seminary. I was asked how it was that he was accepted by the Jewish community of Great Britain, predominantly Orthodox, as its Chief Rabbi. To understand this one has to understand the history of the Jewish Theological Seminary and its relationship to the Conservative movement. (Much of what follows is adapted from material in the two volume work, Tradition Renewed, published in 1997 by the Jewish Theological Seminary of America.)

The Reform movement established its congregational organization, the Union of American Hebrew Congregations, in 1873, which then founded its rabbinical school, the Hebrew Union College, in 1875. By contrast, the founding of the Jewish Theological Seminary, the rabbinical school of the Conservative movement, preceded the formation of the United Synagogue of America, the Conservative movement's congregational organization, by almost a quarter century. An important motivating factor for the establishment of the Jewish Theological Seminary in 1887 was the need to counter the influence of the Reform Hebrew Union College. (Interestingly, the Yeshiva Etz Chaim, forerunner of Yeshiva University, was also founded in 1887.) The Seminary's original goal was the training of "orthodox rabbinical professors, rabbinical teachers, and rabbis who can hold high the banner of knowledge and Torah." When in 1888 the president of the Jewish Theological Seminary Association was asked to define the religious orientation of the Seminary, he stated that "the rabbinical school would be neither Orthodox nor Reform." The Jewish Theological Seminary functioned for a quarter century as a rabbinical seminary unconnected to a movement or denomination.

In fact, leaders of the Seminary had helped to establish the Union of Orthodox Congregations in 1898. Their goal was to establish a constituency for the Seminary among traditional Jews by creating a vibrant movement responsive to both the spiritual and traditional needs of American Orthodox Jews. Things didn't quite work out that way, though. A rival institution, the *Agudath ha-Rabbanim*, or Union of Orthodox Rabbis of America, was founded in 1902. At its founding meeting it passed a resolution proclaiming that no rabbinical institute could be established in the United States without its express consent. The *Agudah's* first major attack upon the Seminary was launched against Mordecai Kaplan, a 1902 Seminary graduate who was hired by Kehillat Jeshurun, an Orthodox congregation in New York, in 1903 to be their rabbi. This led to the *Agudah's* demanding that all Orthodox congregations should refuse to hire graduates of the Seminary, a demand reaffirmed at their convention in 1904. In fact, they issued a *herem* (excommunication) on any congregation that accepted a rabbi who was a Seminary graduate. As a conciliatory note, the *Agudah* praised the commitment of the early founders of the Seminary to religious tradition, but felt that Solomon Schechter, brought in as head of the Seminary in 1902, was degrading the institution. They demanded that the Seminary desist from calling itself an Orthodox institution.

It was not until 1909, isolated from both the Reform and Orthodox communities, that the Seminary again made plans to create a way to reach out to the Jewish community. This time they created the United Synagogue of America as a haven for congregations seeking a course between traditional practices and moderate innovations in congregational life. Thus began the formal linkage between the Seminary and the Conservative movement.

Upon graduation from JTS in 1894, Joseph Hertz took a position in Syracuse, then went off to Johannesburg in 1898. In 1911 Congregation Orach Chayim on Manhattan's Upper East Side, appointed him their rabbi, despite the *Agudah herem*. In July 1911 Rabbi Hennis Adler, the Chief Rabbi of Great Britain, died and the British rabbinate, recognizing Rabbi Hertz's commitment to Orthodox Judaism, forwarded his name for candidacy, and he got the job of Chief Rabbi in February 1913. Today, in the biography of Rabbi Hertz contained on the website of the Chief Rabbi of the United Hebrew Congregations of the Commonwealth, the Jewish Theological Seminary of America is referred to as "then the bastion of modern orthodoxy against the extreme tendencies of American reform." So, no Virginia, Hertz did not have a "Conservative" *smicha*, as the Conservative movement did not yet exist. It is to the credit of the British that they were unprejudiced about the origin of Hertz's *smicha*.

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## HOW LONG SHOULD THE SEDER LAST?

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Just as we embark on the narrative of the Seder we encounter a curious tale. We are told that Rabbis Eliezer (ben Hyrkanos), Yehoshua (ben Chananya), Eleazar ben Azariah, Akiba, and Tarfon spent the Passover together in Bnai Brak and were so engrossed in the discussion of Pesach that they remained awake until they were called to the morning service. This tale is interesting for two reasons, one being the combination of Rabbis cited. To understand the unusualness of the juxtaposition of these five Rabbis, one needs an understanding of the rabbinic "politics" of that time, as well as of the interrelationships between these five.

At the age of 30 Akiba enrolled in the academy at Yavneh founded by Rabbi Yohanan ben Zakkai. The two men who helped found this academy were Eliezer ben Hyrkanos and Yehoshua ben Chananya. Eliezer was a landowner, a patrician, and a follower of Shammai's opinions, and Yehoshua was a needle maker, a plebeian, and a follower of Hillel's views. Akiba was rebuffed by both Eliezer and Yehoshua, and so Akiba was passed on to Tarfon, a wealthy landowner, for training. One of Akiba's contemporaries was Eleazar ben Azariah, a patrician priest. Akiba's sympathies were with the plebeian group, and so, though he studied with the patricians, was in constant conflict with them. Even the plebeian Yehoshua gave Akiba only partial encouragement. While Akiba was at the academy at Yavneh, two younger students, Yosi haGalili and Ishmael ben Elisha, entered and began to provide leadership for the patrician cause. Their rivalry with Akiba was to last twenty years and was so intense that Akiba decided to open a competing academy in Bnai Brak, a village near Yavne. So to find the four Rabbis from Yavneh, three of whom were members of Akiba's opposition, at Akiba's Seder in Bnai Brak is startling.

The other point of interest is that this passage signaled a change from what appeared to be the norm with regard to the Seder length. Jubilees 49:10, an apochryphal work written about 150 BCE, says that Passover should be observed, "between the evenings from the third part of the day until the third part of the night." What's this business about "parts of the night?" The first Mishnah of the Talmud, Berachot 1, makes reference to "the first watch" (הראשונה הרשונה). There was a debate as to the definition of a "watch." The night was divided into either three or four "watches," so that if one takes the view that the night had three watches then the first watch was over at the fourth hour of the night. So one could interpret the Jubilees passage as saying that the Seder should be over at 10 PM.

This ruling, too, has a patrician/plebeian origin. The plebeians, being primarily farmers, went to bed early; the patricians, being city folk, stayed up later at night. The Book of Jubilees represented peasant opinion, and thus had an early-to-bed ruling. Meanwhile, in Berachot 9a Rabbi Eleazar ben Azariah is quoted as saying that the Seder meal must be finished by midnight, clearly more in keeping with patrician habits.

So here we are at Akiba's Seder in Bnai Brak, the center of plebeian law making, with a plebeian custom that the Seder should be over by 10:00 PM and with one of the four attending members of the Yavneh academy on record as saying that the Seder meal should be over by midnight. And here we see Akiba turning the tables on both these traditions, running the Seder until it was time for the morning service. (This, by the way, is consistent with the first Mishnah of the Talmud, which discusses the time for reading the evening Shema. It was Eleazar ben Azariah that said it should be read until the end of the first watch of the night, i.e., 10 PM, and it was Akiba who said that it could be read at any time before dawn.) So my reading of this passage of the Haggadah is that, by placing the four Rabbis from Yavneh at Akiba's Seder, it was designed to indicate that the patricians "came around" to Akiba's view.

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## KABBALISTIC TIKKUN

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What inspired my recent sermon on the contrast between the Orthodox and Reform concepts of *tikkun olam* was this quote from Tom Friedman's column in the March 17 column in the New York Times:

"What does Tony Blair get that George W. Bush doesn't? The only way I can explain it is by a concept from the Kabbalah called '*tikkun olam*.' It means 'to repair the world'... Tony Blair, unlike President Bush, always leaves you with the impression that for him the Iraq war is just one hammer and one nail to do *tikkun olam*, to repair the world."

What I did not discuss in that sermon, but saved instead for this column, is a discussion of the connection between Kabbalah and *tikkun olam*.

The primary connection of Kabbalah is with *tikkun*, not with *tikkun olam*. In the sixteenth-century kabbalistic teachings of Rabbi Isaac Luria he posited that in the process of creating the universe God sent forth a pure divine light that could not be contained by the 'vessels' into which it flowed. An explosion ensued, scattering broken shards/sparks of holiness about the new universe. Brokenness became for Luria and his many followers an existential cosmic reality. And in a broken universe, the human task is repair -- *tikkun*. The object of this human activity is the restoration of the world to its spiritual place, its separation from the world of dark forces, and the achievement of a permanent blissful state of communion between every creature and God that the "dark forces" will be unable to disrupt or prevent.

The role of man is to find the holy sparks and reunite them with their divine source. How does he do so? By performing *mitzvot*, by saying blessings, or through mystical meditations. Human activity carried out in consonance with the laws of Torah can prepare the way for "repair" and "restoration" of the worlds. And so the Lurianic Kabbalistic process of *tikkun* is not an outward-looking process of finding things wrong in the world and righting them. It is an inward-looking process which deals with man's relationship to God and to himself.

The phrase *tikkun olam* may have the same literal objective as that of Luria's *tikkun*, the repair of the world. But its figurative objective is quite different. *Tikkun olam*, certainly as it is used today, is a synonym for Social Action, and is one of the main pillars of the Reform movement. In their *tikkun olam* the world can be repaired by our helping others.

In Luria's *tikkun* the world can be repaired by our performance of rituals. The Reform movement replaced ritual and observance of the *mitzvot* with Social Action, and then, in an attempt to connect this new pillar to something rooted in Jewish history, traces its concept of *tikkun olam* back to Luria. In my view the connection is a stretch.

Luria's concepts have been taken up by yet another group, one that I dare not characterize, but they are so diverse as to encompass physics Professor Herman Branover of Ben-Gurion University and Western Feng Shui disciples of the *Yi Jing*. This group sees the explosion described by Luria as a 16<sup>th</sup> century expression of what cosmologists refer to as the Big Bang Theory of the origin of the universe. And they see the striving to reunite all the holy sparks to the state of unity that preceded the creation of the universe as a parallel to the concept in Chaos Theory of a "disturbed system" that strives to revert to a former condition of quasi-stationary equilibrium. So for them *tikkun* is achieved neither by individuals helping others nor by individuals performing the 613 *mitzvot*, but instead is the natural outcome of "metaphysical laws of nature."

None of the concepts of *tikkun* (or *tikkun olam*) described here characterize Tony Blair's motives. Tom Friedman, stick to what you do best!

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## **“EAT, DRINK, AND BE MERRY, FOR TOMORROW YOU DIE”**

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There is a little book by Paul F. Boller, Jr. and John George entitled They Never Said It - A Book of Fake Quotes, Misquotes, and Misleading Authorities. It delights in pointing out that Humphrey Bogart in Casablanca never said, "Play it again, Sam." Nor did Charles Boyer in Algiers ever say to Hedy Lamarr, "Come with me to the Casbah." Horace Greeley never said, "Go west, young man." Marie Antoinette did not come up the line, "Let them eat cake."

This is also the case with the expression "Eat, drink, and be merry, for tomorrow you die." Some say that this comes from the Greek philosopher Epicurus. Epicurus may have thought it, but he never said it. In his Shavuot sermon Rabbi Gerry Rosenberg said it was from Isaiah. Well, he's only partially right. In fact, these words come by combining several different quotes from the Bible. Here they are: Isaiah 22:13 "Let us eat and drink; for tomorrow we shall die;" Ecclesiastes 8:15 "A man hath no better thing under the sun than to eat, and to drink, and to be merry;" Luke 12:19 "Take thine ease, eat, drink, and be merry;" and I Corinthians 16:32 "Let us eat and drink, for tomorrow we die." How they were conflated to become this well known expression is beyond my powers of research.

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# Lake Shore Drive Synagogue

שומרי ישראל

*Shomrei Israel*

July-August 2003 ד"ב

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## TU B'AV ???

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When I finished chanting the Haftorah of Shabat Nachmu on August 9, the Shabat immediately after Tisha B'Av, when the first seven Haftorot of Consolation is recited, Betty Goldstein reminisced to me that she associated Shabat Nachmu with lots of young singles partying and with "shidduchim," engagements, being announced on that day. I immediately realized what she was referring to; it had to do with celebrating Tu B'Av.

We've all heard of Tu B'Shevat, the New Year for Trees, celebrated on the 15<sup>th</sup> of the Hebrew month of Shevat. (Of course you have; I covered this holiday in my February 1998 Bulletin, which you all read so assiduously!) But have you ever heard of Tu B'Av? A Jewish holiday celebrated on the 15<sup>th</sup> of the Hebrew month of Av? No, I don't mean Tisha B'Av, the fast day observed on the 9<sup>th</sup> day of Av (covered in my July 1998 Bulletin). Tu B'Av is so ancient that it is even mentioned in the Mishnah. Mishnah 4.8 of Taanit quotes Raban Simeon ben Gamaliel as saying, "There were no happier days for Israel than the 15<sup>th</sup> of Av and the Day of Atonement, for on them the daughters of Jerusalem used to go forth in white raimants...and the daughters of Jerusalem went forth to dance in the vineyards. And what did they say? 'Young man, lift up thine eyes on beauty, but set thine eyes on family.'" (Note even then that "yichus," family pedigree, was more important than looks.)

Since Tu B'Av is only 6 days after Tisha B'Av, the Saturday before Tu B'Av is always Shabat Nachmu. This explains Betty's connection of that weekend with matchmaking. Tu B'Av is celebrated even today. On its website the World Union of Jewish Students refers to it as "Jewish Valentine's Day." Others refer to it as "Jewish Sadie Hawkins Day" (I'll leave it to folks of my vintage who remember Li'l Abner to figure out that reference). Israelites took the passage in Judges 21:19, "Behold, there is the feast of the Lord from year to year in Shiloh," that of Judges 21:21 "Behold, of the daughters of Shiloh come out to dance in the dances," and the fact that the town of Shiloh, 40 minutes north of Jerusalem, was replete with vineyards, to indicate that these passages refer to the Tu B'Av celebration. And so in modern times Shiloh jumps with celebration of this "Holiday of Love."

But why make Tu B'Av such a holiday? The Talmud (Taanit 30b-31a) gives six reasons for this:

1. Marriage between different tribes of Israel was permitted that day. (In the desert, a ban on inter-tribal marriage insured that land would not pass out of the hands of the tribe it originally belonged to.)
2. Intermarriage with the tribe of Benjamin was once again permitted after the Civil War documented in Judges 21.
3. The generation that left Egypt ceased to die in the wilderness.
4. King Hosea permitted residents of the Northern Kingdom to make the pilgrimage to Jerusalem once again.
5. The dead of the great fallen city of Betar were granted burial by the Roman government.
6. The last day for cutting the wood for the Altar was 15th Av each year, since only dry wood not attacked by worms was suitable. After this date, the waning strength of the sun's rays failed to dry the wood quickly enough before the worms entered and rendered the wood unfit for the Altar. The last day of the summer, when preparation of altar wood was completed, was therefore a festive day. It came to be called "the day of the hatchets," since, after that day, there was no need for the hatchets that year.

Pick your reason, or make one up. Any excuse for a simcha works for me.

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## ROSH HASHANAH SYMBOLIC FOODS

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We all know the custom of eating a piece of apple dipped in honey on Rosh Hashanah, because both the apple and honey are sweet and by our eating them we symbolically wish that we have a sweet year. Indeed, there is a special blessing to be said before eating the apple and honey, which begins with the phrase "May it be Your will, Hashem our God and the God of our forefathers..." אלקינו ואלקי אבותינו... and ends with the phrase "...that you grant us a good and sweet new year" שתחדש עלינו שנה טובה ומתוקה...

But did you know that there are eight other symbolic foods eaten on Rosh Hashanah, each with its own symbolic meaning and associated blessing? No? Well, here they are:

1. The head of a fish or of a sheep. Why? Because Rosh literally means "head," and so one eats a head and ends the standard opening with "...that we will be as the head and not as the tail" שנהיה לראש ולא לזנב..., contrary to the curse invoked in Deuteronomy 28:13 and 28:44.
2. A fish. Why? Because fish produce many offspring, and so one eats fish to augur a childbirth in the ensuing year, and ends the standard opening with "...that we shall be fruitful and multiply as fish" שנפרה ונרבה כדגים...
3. Carrots. Why? The Yiddish word for carrots is "mehren," which is also the Yiddish word for "multiply." But, instead of accompanying the eating of carrots with another prayer for offspring, we say "... that our merits will increase" שירבו זכיותינו...
4. Dates. Why? The Hebrew for date is תמר, which bears two of the three letters of the word for "finish off," התם. Thus the blessing ends with "...that You shall eradicate those who despise us" שיתמו שונאינו...
5. Pomegranate. Why? Because the pomegranate has so many seeds. The blessing over the pomegranate makes no specific mention of this, but implies this by the words "...that our merits shall be plentiful as a pomegranate" שנרבה זכיות כרמון...

By the way, it is also a custom to eat a fruit that is ordinarily not eaten during the year, so that we can also make the *shehecheyanu* prayer one more time (i.e., in addition to it being said at the end of the *kiddush*). In my childhood the fruit my grandparents selected was the pomegranate, which served double duty, both for the *shehecheyanu* and for the fruit's symbolic value. Until kiwi starting becoming a staple in salads at restaurants, that became the designated *shehecheyanu* fruit. Today it's an uglifruit or starfruit or whatever exotic fruit is available at Whole Foods.

6. Pumpkin or squash. The Hebrew for pumpkin, gourd, and squash is קרא; the Hebrew word for "cancel" is קרע. The words are sufficiently close for us to use this item along with the blessing "...that the decree of our judgment shall be annulled and our merits shall be proclaimed before You." שיקרע גזר דינני ויקראו לפניך זכיותינו...(evocative of one of the requests in the *Avinu Malkeinu* prayer).
7. Beets. The Hebrew for beet is מלקא, which is close enough to the Hebrew for "withdrawal," הסתלקות to warrant the blessing "...that our enemies shall disappear" שיסתלקו אויבינו...
8. Leek or cabbage. The Hebrew for these vegetables is כרתי, which is similar to the word for "obliterate," כרת, and so evokes the blessing "...that our enemies shall be obliterated" שיכרתו שונאינו...

The connection between each symbolic food and its associated blessing is quite tenuous. Nonetheless these rituals have entered into our Rosh Hashanah celebration and add to our enjoyment of the holiday.

# Lake Shore Drive Synagogue

בס"ד

November-December 2003

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## SPECIAL SUKKOT GUESTS

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Succah-hopping is one of the most pleasant traditions of the holiday of Succot. People who have built *succot* invite their friends and neighbors to stop by and make a blessing in their *succah*, over wine (or other libation) and/or over some delectable pastry or fruit. The camaraderie in the *succah* makes this tradition a high point of the Succot holiday.

This tradition merely entails your contemporaries. There is one other hosting tradition associated with Succot, the daily invitation of *ushpizin* into the *succah*. The word *ushpizin* is Aramaic for guests. The Zohar, the fundamental book of Kabbalah, says, "When a person sits in his *sukkah* the *Shechina* [God's Divine Presence] spreads its wings over it from above and then Abraham, together with the other five *tzadikim* [righteous men, referring to Isaac, Jacob, Joseph, Moses and Aaron] and King David dwell together with him." (Emor 103a). The tradition is that these *ushpizin* were selected because, just as the Israelites wandered in the desert while they lived in *succot*, each of the *ushpizin* had a period of wandering. Further, the Jewish mystical texts explain that each of the seven *ushpizin* correspond to a fundamental spiritual pathway (called a *sefirah* in the Kabbalah) through which the world is metaphysically nourished and perfected. Following is the lineup of the *ushpizin* guest list, along with a brief description of each one's wandering, each one's associated attribute in the Kabbalistic *sefirot* (the forces through which God created the world), and the interpretation of these *sefirot* as they apply to each guest:

Abraham -- told to go forth from his homeland -- **חסד** (grace) represents love and kindness

Isaac -- went to Gerar to avoid a famine -- **גבורה** (strength) represents restraint and personal strength

Jacob -- was told to go to Aram -- **תפארת** (splendor) represents beauty and truth

Moses -- led the Jewish people through the desert -- **נצח** (victory) represents leadership and dominance through Torah

Aaron -- led the Jewish people through the desert -- **הוד** (glory) represents empathy and receptivity to divine splendor

Joseph -- sold as a slave to Egypt -- **יסוד** (foundation) represents holiness and the spiritual foundation

David -- fled from his enemies into the desert of Judea -- **מלכות** (kingdom) represents the establishment of the kingdom in a way that invited God's presence

Note that the order of the guests is not chronological, because the order was set to follow the order of the *sefirot*.

In recent times there has been a movement to also invite *ushpizot*, female guests, to the *succah*. This is not as new an idea as one might think. According to the 16th-century kabbalist Menachem Azariah, known as the Ramah of Fano, the seven female figures to be invited are: Sarah (Abraham's wife), Miriam (Moses's sister), Deborah (the prophetess), Hannah (prophet Samuel's mother), Abigail (one of David's wives), Hulda (a prophetess living in Jerusalem just before the exile to Babylonia, see 2 Kings 22:14), and Esther (of Purim fame). One might also invite each of the *ushpizin* with their wives, so that the guest list would be: Abraham and Sarah, Isaac and Rebecca, Jacob and Rachel, Leah, Bilha, and Zilpah, Moses and Tziporah, Aaron and Elisheva, Joseph and Osnat, David and Michal, Abigail, Bathsheba, Haggith, et al. (see 2 Samuel 3:2-5 and 16:22 and Sanhedrin 21a).

And if you need a guest for Shmini Atzeret, consider, as some rabbis have, inviting King Solomon. As for *ushpizot*, you'll certainly run out of food if you invite his 1,000 wives.

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## ROSH HASHANAH SYMBOLIC FOODS: AN ADDENDUM

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Lest you think that the Rosh Hashanah symbolic foods that I described in the last bulletin are some medieval superstitions that got perpetuated in the Jewish tradition, I should point out that some of them are even mentioned in the Talmud. Twice in the Talmud (Kerisus 6a and Horayot 12a) Abbaye (278-338 CE) is quoted as saying, "Now that you have said that the thing is symbolic, one should make a custom at the beginning of each year to eat gourds, fenugreek, leeks, beets, and dates (קרא, ורוביא, כרתני, סילקא, ותמרי)."

In last month's bulletin I mentioned gourds (pumpkin or squash), leeks (or cabbage), beets, and dates, but not fenugreek. My dictionary defines fenugreek as "an Old World herb of the pea family, having strong scented leaves and mucilaginous seeds." Jastrow's dictionary of the Talmud translates רוביא as fenugreek, but gives an alternate opinion, namely that רוביא means flax-seed.

I used to think that the use of fenugreek was dropped and replaced by the pomegranate and the carrot, because in both the blessing contains the word for "multiply" whose root is the Hebrew רב. But I recently came across this email message on a Jewish listserv: "Regarding symbolic foods for Rosh Hashanah, the last couple of years I've made it a point to make "Hoppin' John" for the first meal. Reason to make it: The major ingredients, black-eyed peas and rice, are both traditional Sefardi Rosh Hashanah foods." I don't know about the rice, but the black-eyed peas may be an offshoot of the fenugreek mentioned in the Talmud.

I also learned that in Barbados a traditional food eaten at New Year's is a mixture of black-eyed peas and rice, but it's almost always made with pork. The reason given by Barbadians for eating it at New Year's is that if one starts the year eating poor, one will eat rich for the rest of the year. Perhaps, except for the pork, this is an outgrowth of a Rosh Hashanah custom brought to Barbados by Sefardic Jews.