

LETTERS TO THE EDITOR

The Jerusalem Crown

I HAVEN'T seen any Orthodox review of the *Jerusalem Crown*, so it was gratifying to read the very good review written by Malky Mendel. Only a couple of points could have been brought out better.

First, Mendel mentions that U. Cassutto examined the Keter and took notes. What she didn't say is that he asserted that the Keter is NOT Ben Asher's, although he never got the chance to give a lengthy explanation why. It was in fact deduced from his notes by M. H. Goshen-Gottstein that it was because of the layout of *Shirat Moshe* which didn't accord with the Rambam (discussed in *Hilbot Sefer Torah*, Perek 8). It is written there that this *shirah* has to be written on 70 lines. The *Shulhan Arukh* brings this down, based on the Rambam. However, in the Aleppo Codex this *shirah* is written on 67 lines. Therefore it must be that this codex is NOT the one consulted by the Rambam. However, M. H. Goshen-Gottstein showed that this was in fact an error in the manuscripts and printed editions of the Rambam. He writes:

"It is true that our printed editions of the Maimonides' Code state that Deuteronomy 32 should be laid out on 70 lines. This as well as some other obvious discrepan-

cies between the facts of the codex and the text of the Code is, in all probability, what made Cassutto deny the identity of the Aleppo Codex with the one used by Maimonides. However, if we refuse to rely on printed editions and take the trouble to check the copy of the Code prepared by Maimonides himself—the Bodleian MS Hunt 80, which fortunately has survived—we are in for a surprise, for the text reads 67 lines! If we go on to check other ancient manuscripts of the Code we see how "correctors" crossed out 67 and wrote 70 and then changed some of the catch words so as to fit the number.

"In other words, Maimonides' original wording and list fit exactly the facts of the Aleppo Codex! Yet those facts ran directly contrary to a widespread custom of certain massorettes; so some copyists of the Code substituted precisely the kind of division and arrangement which Maimonides had set out to prevent in the first place. Thus, as irony would have it, they caused him to turn into accepted halakhah precisely the opposite of what he had really written. We can only assume that this was a *pia fraus*—that those copyists could not imagine, for good reasons, that Maimonides had really meant what he had written."

In short, the Aleppo Codex was

authenticated. It wasn't simply accepted for what it was traditionally claimed to be. It was proved to be Aharon ben Moshe ben Asher's codex!

Another point that wasn't brought out clearly is what is so special about the *Keter* in terms of its exactness, although quotes from experts like Prof. Yeivin and R. Breuer are mentioned. It needs to be stressed that in the Torah alone there are more than 300,000 letters. Nearly all of these letters require an additional *nikkud* of some sort. In addition each word requires a *trope* of some kind, sometimes more than one. Then add to that the rest of *Nakh*, and we are talking about a book with literally millions of minute details. Then remember that the Massoretic codices are all internally cross-referenced. If a word appears exactly as it does only once, that is noted. If it appears two or three or ten or eleven times, that is noted. But it requires the Massorete to be totally familiar with such minor details for the entire Tanakh. Finally, the notes need to match the text. If he says that the word appears twice, it wouldn't do for the word to appear three times either through oversight or transcription error. In no other Massoretic codex do the notes match the text so well, in this case almost perfectly. In fact, no other mss come close.

Shimshon Wiesel
Brooklyn, NY

Daf Yomi

HESHEY ZELCER asks, "How much time did he [R. Meir Shapiro] expect individuals to spend in their study of *daf-yomi*?" It is my understanding that in Rabbi Shapiro's Yeshiva, Hakhmei Lublin there was a one-hour *daf-yomi* session.

One could argue, however, that if the students in his elite Yeshiva needed an hour, then other people would require much more.

Abe Lederer
Brooklyn, NY

Teaching Humash

I ENJOYED reading Rabbi Rabinowich's article in the first edition of *Hakirah*.

I believe that one point R. Rabinowich raised was the fact that the Torah records that *Yaakov Avinu's* burial procession passed through *Ever Le-Yarden*. After all, this would make for a very circuitous trip from Egypt to *Hevron*.

I would like, however, to address one issue he raised. The *Torah* records that *Yaakov Avinu's* burial procession passed through *Ever Le-Yarden*. Rabbi Rabinowich points out that one must wonder why when traveling from Egypt to *Hevron* they decided to embark on such a long journey.

I was recently shown that Rabbi M. Kasher raises this point as well in his *Torah Sheleimah*. He writes that it is speculative to explain this issue by claiming that the funeral

procession was forced to take a lengthier route due to local dangers or disagreements.

He points to the *Hizkuni*, which offers a simple resolution to this problem. The *Hizkuni* notes that “*Ever Le-Yarden*” is a term that is all a matter of perspective. We, who view the land of Israel as central, use that term to refer to lands on the Eastern bank of the Jordan River. People who actually live in those lands, however, use the exact same term to refer to lands on the Western bank of the Jordan River. (This is akin to a New Yorker being justifiably labeled as an “out of townner” once he/she leaves the five boroughs.)

When the *pasuk* uses the term “*Ever Le-Yarden*,” it is being written from the perspective of the inhabitants of the lands of *Sihon* & *Og*. As such, it is referring to the land of Israel. Thus, there is no reason to assume that *Yaakov*’s funeral procession took anything but the direct route from Egypt to *Chevron*.

Akiva Males
Flushing, N.Y.

Various Articles

THE SECOND volume of *Hakirah* contains a nicely selected mix of articles, with something for everyone, and certainly provides your reading public with highly informative reading material.

I was quite saddened, however, that the unfortunate “Slifkin” affair and other recent book bannings

played such a prominent role in two of your articles. Dan Rabinowitz’s position (p. 50) that diverse opinions among Orthodox authorities of the past on many issues allow contemporary *frum* people the freedom to espouse any of these views, is clearly disputed by the rabbis who banned R. Slifkin’s book. Does *Hakirah* wish to become deeply embroiled in such controversies?

Elijah ha-Bahur’s opinion is clearly at odds with various elements of the vast *Zoharic* literature. So many ArtScroll introductions based on Ramchal, and the fact that the Slifkin banners are “demanding allegiance to a mystical approach” (Benzion Buchman’s words on page 17 of this issue), may finally have gotten on some people’s nerves. But please remember that acceptance of the validity and authority of Kabbalah and its key works as an integral component of traditional Judaism, has been a fact since the famous *tshuva* number four of the Bach (R. Yoel Sirkhes) was published in 1657.

This is not the place to debate the dating of the *Zohar* and its components. There is always the possibility that an earlier work contains later interpolations, or reflects views or phraseology of later editors and scribes. Absolutely no one claims that we have a copy of the *Zohar* from the Rashbi’s own hand. Aside from arguments from “intelligent design” against the authorship of R. Moshe De Leon (how could such a dazzlingly amazing

work have come from the pen of a rather ordinary medieval Jewish scholar—certainly not one of the great halakhic authorities of his time), let me mention just one point in favor of the *Zohar's* antiquity that I came across recently in a book by, of all people, Gershom Scholem, the great opponent of the *Zohar's* antiquity. In his “Devil, Demons, and Souls, Essays in Demonology” (in Hebrew), Jerusalem: 2004, page 176, note 126, he says: “It is amazing that the *Zohar* uses almost word for word the same language which I quoted at the beginning of this note from the Aramaic Book of Enoch which became known just five years ago” from one of the Dead Sea Scrolls (my translation). Such intellectual honesty is truly refreshing.

It's a great idea to inform the public on an issue as important as the halakhic authority of the Aleppo Codex, by including this in a book review of a new Tanakh based on this manuscript. Highly controversial or even totally objectionable books, reviewed responsibly, give readers the information needed to participate intelligently in discussions on these topics which inevitably come up. It would be a shame to limit such reviews to new books. Perhaps you may wish to come up with a list of books such as B. Barry Levy's “Fixing G-d's Torah, the accuracy of the Hebrew Text in Jewish Law,” or Judah Landau's “Torah and Science” (why wasn't this book banned by R. Slifkin's opponents??) and see how your readers

have dealt with the issues highlighted in these publications. *Hakirah* could become a welcome forum for such discussions. I'm looking forward to future issues of *Hakirah*.

Shmuel Klein
Brooklyn, NY

Dan Rabinowitz responds:

Regarding the question of the *Zohar's* authenticity I hope I made clear in my article that it was far from agreed whether the entire corpus of the *Zohar* should be accepted as the work of R. Shimon bar Yoḥai. The fact that ArtScroll uses the works of R. Moshe Hayyim Luzzato in its introductions notwithstanding, there was a long and involved debate among Orthodox Rabbis over the authenticity of portions of the *Zohar* (even after the publication of the *Teshuvot ha-Bach*). This debate touched upon the origins of the *nekudot*; not to link the two would be misleading and incomplete.

Finally, although I alluded to the recent controversy over R. Nosson Slifkin's books, in no way did I take a side nor did I espouse an opinion on the matter. While my article demonstrated that Judaism is not monolithic, a point that may or may not have implications for the aforementioned controversy, I will leave that to far greater people than myself.

Editor's Note:

Shmuel Klein asks, "Does *Hakirab* wish to become deeply embroiled in such controversies?"

Yes. As stated in *Hakirab's* statement of purpose, our goal is to "create a forum for the discussion of issues of *hashkafah* and halakhah relevant to the community from a perspective of careful analysis of the primary Torah sources."

Humrot

CONGRATULATIONS on your excellent publication, although I'm not sure why you would want to limit the publication to Flatbush. In his article on, "The Role of *Humrot*" (*Hakirab* 1:11-24), Rabbi Daniel Goldstein posits that the source for *humrah* is derived from the biblical imperative to be holy, *kadosh*. He bases this upon the Rosh, R Yona and *Reishit Hochma*. An interesting avenue of investigation would be whether *humrot* should be limited in scope or whether the concept pertains to all areas of Jewish life. Rambam in his introduction to *Mishneh Torah* notes that he included two topics in his *Sefer Kedushah*. These are forbidden sexual relationships and foods that are forbidden for consumption. The Rambam explains that it is through these two particular categories of *mizvot* that the Jewish people are distinguished from other peoples. It is interesting that the examples noted by Rosh, Rab-

beinu Yonah and *Reishit Hochma* all fall within these two categories.

Regarding *humrot*, the *drash* of "kedoshim teheyu—kadesh azmekha be-mutar le-keba," implies that the label *humra* applies only where normative halakhah has been decided in favor of the lenient opinion. One who acts strictly in an area of *minhag* or where opinions differ as to what is normative halakhah may be considered as doing so out of *safeke*—doubt—rather than as a *humra*, and may well be subject to different considerations in their interactions with others. Rabbi Goldstein does note this but seems to blur the distinction throughout the article.

Gary Schreiber
Chicago, IL

Succah on Shemini Azeret.

HAVING READ the excellent article "Sukkah on Shemini Azeret" I would like to bring to your attention an interesting footnote by Aaron Wertheim. In *Law and Custom in Hasidism* (translated by Shmuel Himelstein, Hoboken: Ktav, 1992) on page 284, footnote 89 he writes:

"[...T]he *minhag* of the Treves family quoted in *Revid ha-Zahav* by R. Yehudah Leib Treves (Horadno 5557 – 1797), *Parshas Emor* [reads as follows]:

"I have found written in a work by my father, R. Shneur Treves, that it was his custom not to eat in the *sukkah* on the night of *Shemini*

Atzeres based on a story which occurred to Rashi, the head of our family. I am not familiar with the story itself, and I have nevertheless acted in the same fashion.”

Henry J. Bergman
Brooklyn, NY

Parshah Management

I'M READING your wonderful article “Parshah Management— Doubling, Halving, Accuracy” and having a great time learning things I never knew before (e.g., that the calendar attributed to the *Tur* is flawed). There is one question that I've had for many years and is very glaring when analyzing Charts 1 and 2. Why is it that when *Pesah* falls on Shabbat and, as a consequence, Israel and Diaspora are out of sync, we pass up several opportunities to catch up and wait until later *parshiot* to do so (*Mattot-Mase'ei* in leap years and *Be-Har - Be-Hukkotai* in regular years)? Have you seen any explanations or do you have an answer of your own?

Raymond Arking
Brooklyn, NY

The Authors respond:

1) The phrase “catch-up” implies desirability in having the same *parshah* read in both Erez Yisrael (E"Y) and the Diaspora. The thrust of the whole article is that all communities, Sephardic as well as

Ashkenazic, set up *Shabbos* reading systems that they felt most comfortable with based on whatever rationale they felt made most sense. The need for all communities to do the same thing did not seem to be a high priority. In that light, regardless of whether differences were forced upon them by their own choices or by the quirk of the calendar (i.e., *Pesah* starting on *Shabbat*) they dealt with it based on the rules they had developed, and not on what would bring everyone into harmony as soon as possible.

2) With respect to Leap Years: This situation occurs only on a ש"ב or ש"ג year where in E"Y all *parshiyot* are read separately (i.e., no maneuverability.) In the Diaspora the 2nd Shabbat of *Pesah* causes them to fall one week behind a community in E"Y that follows the same reading system. As a result, the Diaspora is forced to combine one set of *parshiyot* in order to finish the year's reading on schedule (not because they want to get back in sync with E"Y.) Since the traditionally desired reading system has *Be-Midbar* before *Shevu'ot*, the only choices for the Diaspora's “doubling-up” are *Hukkat-Balak* (H-B) or M-M. As is clear from Tables 1 and 2 and many of the citations in the article, the *Hukkat-Balak* combination is used, at best, only as a last resort. (Note: it is never done in E"Y.) Thus, M-M is the doubling of choice.

3) With respect to Regular Years: This situation occurs only

on a $\text{ג}^{\text{ה}}$ year where in the Diaspora all possible “doubling” *parshiyot* are doubled to make sure that *Tsav* is read before *Pesah* and *Be-Midbar* is before *Shevu'ot*. In E”Y, because of the extra reading done on the “last” day of *Pesah*, one of the three possible doubling *parshiyot* toward the end of *Sefer Va-Yikra* must be separated to make sure

that *Be-Midbar* is before *Shevu'ot*. The last one is chosen. Why? It is not because of size, since B-B is the smallest of the 3 doubling pairs. We assume that B-B was chosen to be separated over the other 2 possibilities because the other 2 more naturally fit together and basically address the same issues. 