

## THE LAST ORAL TORAH? THE DIVISION OF THE TORAH INTO 'ALİYOT\*

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In a 1998 article in the journal *Sinai*, Ilana Katzenellenbogen examined the history of the division of the weekly Torah portion into seven 'aliyot.<sup>1</sup> Many scholars, both traditional and academic, had assumed that the division as printed in standard *ḥumashim* has been in existence since Geonic or even Talmudic times;<sup>2</sup> however, Katzenellenbogen's examination of early editions and manuscripts of the Pentateuch, as well as of various books of *minhagim*, clearly demonstrated that, although the later *rishonim* (14th-15th centuries) began to divide the portions into 'aliyot, any sort of uniformity of custom dates only from the eighteenth century.<sup>3</sup>

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\* This article is dedicated to the memory of my father, Dr. Eric Stulberg z.l.

<sup>1</sup> Ilana Katzenellenbogen, "Halukat Parashot ha-Torah le-fi Minyan Shiv'a Keruim", *Sinai* 119 (1998), pp. 224-45.

<sup>2</sup> See Yitzhak (Eric) Zimmer, "Hafsakot be-Farshiyot u-ve-Sidrot ha-Torah", *Sinai* 68 (1971), pp. 162-72; R. Moshe Grunwald, *Responsa 'Arugat Ha-bosem*, (New York, 1979), *Orah Hayim* #22 (v. 2, pp. 19b-20a).

It is noteworthy that some scribes attributed such a degree of antiquity to the *aliyah* divisions that they actually demarcated them in their Torah scrolls by leaving an empty space – see R. Hayyim Eleazar Shapira, *Responsa Minhag Ele'azar* (*Orah Hayim* I:10).

<sup>3</sup> There are some exceptions to this generalization. See, for example, *b. Rosh Hashanah* 31a, *b. Megillah* 31b, *b. Menahot* 30a, *Gen. Rabbah* 18:6, *Soferim* 12:5-6. With regards to Parashat Ha'azinu, however, in spite of the well known mnemonic *הזי"ו לך* there exist no fewer than five traditions dating back to the 10<sup>th</sup> and 11<sup>th</sup> centuries on precisely how the text is to be divided. See *Soferim* 12:8, *Mahzor Vitry* (ed. Horowitz), pp. 387-88, *Otzar Ha-geonim* to Tractate *Rosh Hashanah* pp. 50-51, as well as *Rabbenu Hananel on Rosh Hashanah* 31a.

Fragments from the Geonic era list the precise division of the Torah readings for Monday, Thursday and Shabbat afternoon, in which three 'olim are called: see Yosef Ofer, *Ha-Masorah ha-Bavlit la-Torah, 'Ekronoteha U-Derakheha* (Jerusalem, 2001), pp. 200-203. I wish to thank the anonymous reviewer of this article for the reference.

Katzenellenbogen's discovery that the division of the weekly Torah portions into *'aliyot* is not a static tradition, passed down since time immemorial, but rather the result of an evolutionary process, raises important implications. Several scholars have noted how the public nature of the weekly Torah reading and its associated rituals (such as the recitation of the Targum) occasionally led to their being adapted to meet the sensibilities of their audiences.<sup>4</sup> Scholars have also scrutinized the division of the Bible into chapters (*"perakim"*), and its subtle influence on Jewish interpretation (and misinterpretation) of the text of the Torah,<sup>5</sup> and similar attention has been given to the division of the Torah text into physical paragraphs, or *parshiyot*.<sup>6</sup> Here I argue

<sup>4</sup> On the Targum, see Avidgor Shinan, "Echoes from Ancient Synagogues: Vocatives and 'Emendations' in the Aramaic Targums to the Pentateuch", *JQR* n.s. 81:3-4 (1991), pp. 353-364; Michael Klein, "Not to be Translated in Public – לא מתרגם בציבורא", *Journal of Jewish Studies* 39 (1) (1988), pp. 80-91; Anthony D. York, "The Targum in the Synagogue and in the School", *Journal for the Study of Judaism*, 10, pp. 74-86. On the exegetical significance of the system of cantillation, see Simcha Kogut, *Correlations between Biblical Accentuation and Traditional Jewish Exegesis* (Hebrew), (Jerusalem, 1996) and the somewhat dubious thesis of David Weisberg, "The Rare Accents of the Twenty-One Books", *JQR* n.s. 56:4 (1966), pp. 315-36; 57:1 pp. 57-70; and 57:3 (1967), pp. 227-38.

<sup>5</sup> Shmuel Weingarten, "Halukat ha-Torah li-Frakim", *Sinai* 42 (1958), pp. 281-93. It is useful to compare this essentially non-Jewish division with the paragraph divisions in the Masoretic Torah text, which are also ostensibly intended to imply shifts in the Biblical narrative. Many Christian chapters begin with the concluding verse of a Masoretic paragraph: examples from the Pentateuch include Gen 6:1, Ex. 6:1, 16:1, 22:1, 32:1, 39:1, Deut. 2:1, 13:1, indicating a fundamental difference of opinion as to how these passages should be divided into literary units. See also Ex. 36:1, where the chapter division clearly sides with the view that the word *ve-'asah* is to be understood in the past tense and not as a continuation of Moses' repetition of God's instructions (see M.M. Kasher, *Torah Shelemah*, vol. 23 p. 34).

<sup>6</sup> The classic work on the Pentateuch remains Meir Ish-Shalom (Friedmann), "Ma'amar al Halukat ha-Torah", *Bet ha-Talmud*, vols. 3 and 4 (1883-84). Ish-Shalom's fundamental argument was that the "open" paragraphs (פרשיות פתוחות) represented major topical breaks, while the "closed" paragraphs (פרשיות סתומות) signified more minor breaks. For an example of this sort of analysis on the Prophets, see Yosef Winter, "Hashpa'at ha-Halukah le-farshiyot 'al Peshuto shel Mikra", *Bet Mikra*, 35 (1990), pp. 245-56. These sorts of observations can, however, already be found in medieval works of bible commentary, notably those emanating from the various Tosafists – e.g. Y. Gellis, *Tosafot ha-Shalem*, v. 8 (Jerusalem, 1989), pp. 261, 286, 295.

that analysis of the division of the weekly Torah portions into *'aliyot* can be no less revealing of the ways in which the Jewish people have traditionally understood Scripture.<sup>7</sup>

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### Methodology

My analysis of the division of the weekly Torah portions into *'aliyot* focuses on two main sets of phenomena:

1) Most importantly, it examines the conjunctive and disjunctive properties of the division of the Torah into *'aliyot*. Sometimes a break is inserted in order to avoid a juxtaposition that could lead to an

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There are many instances in which the Masoretic division seems problematic; consider, for example, the many peculiar instances in which Masoretic paragraphs end with a seemingly unconcluded thought (e.g. Ex. 6:28, Num. 26:1, Deut. 2:16). See also the comments of James Kugel in his *The Idea of Biblical Poetry: Parallelism and its History* (Baltimore and London, 1981), p. 59 n.1, with regards to Gen. 2:1 and Ex. 2:1. Even the most traditional of writers have found occasion to remark on this puzzling phenomenon, albeit in apologetic tones: see Artscroll's Stone Chumash, 11<sup>th</sup> edition (Brooklyn, 2004), p. 1007, commenting on Deut. 13:1.

<sup>7</sup> In a sense, this is hardly a novel observation. The Vilna Gaon (as cited in *Ma'aseh Rav* (#132)), was reportedly dissatisfied with many of the printed *'aliyah* divisions, and insisted on implementing his own, which paid more attention to the units of the narrative and placed greater emphasis making the end of each *'aliyah* coincide with the paragraph endings as written in the Torah scroll.

R. Abraham Gombiner, in his *Magen Avraham* (O.C. 428:8), notes the symbolism attached to having the Levite read the lengthy passage in Parashat Ki Tisa dealing with the Golden Calf; it is striking, however, that virtually none of the textual evidence adduced by Katzenellenbogen supports this tradition. It is not clear to what extent the divisions advocated by *Magen Avraham* reflected the accepted practice of his time, or whether they ever became widespread following the publication of his work, a point which has escaped the notice of some later writers. See R. Abraham Rappaport, "Kevi'ut Sof ha-Keriah La-'Oleh Rishon be-Farashat Mas'ei", *Ohr Yisrael* 25, pp. 188-190, and the ensuing debate in volumes 36 (pp. 249-53) and 37 (pp. 239-42).

The division of the Torah reading into *'aliyot*, then, can be dictated either by a concern for forming properly constructed narrative units (Vilna Gaon) or for establishing homiletically significant allusions (Magen Avraham). These twin competing motivations, this tension between *peshat* and *derash*, as it were, will recur repeatedly throughout this essay.

undesirable reading of the text; by dividing adjacent texts into distinct *'aliyot*, the divisors (a term I shall use throughout this paper for lack of a better one) sought to remove the organic connectivities within the biblical narrative. In other instances, several discrete topics and passages are lumped together to create an impression of interconnectedness. Both of these phenomena will be explored, in large part by comparing and contrasting the *'aliyah* breaks with the physical paragraph breaks (פרשיות פתוחות וסתומות) as they appear in the Masoretic text.<sup>8</sup>

2) An equally prominent theme that emerges from a study of the division of the Torah into *'aliyot* is the role of the *'aliyah* markers as points of emphasis.<sup>9</sup> As we shall see, the divisors paid very specific attention to the concluding words of the final verse of an *'aliyah*. This trend is especially pronounced in the narrative sections of the Torah, where breaks were often inserted to create an air of suspense and drama within the synagogue. In a similar vein, the divisors sought to exploit every available opportunity to conclude an *'aliyah* with an expression of blessing.

The present study focuses primarily on the system of allocating *'aliyot* currently employed in the vast majority of Ashkenazic (and, to the best of my knowledge, Sephardic) synagogues. In particular instances, comparison will be made with other historical divisions listed in Katzenellenbogen's article in order to highlight striking features within the modern system. Of course, I use the word "system" somewhat hesitantly. It should be noted at the outset that there are few programmatic statements dealing with the manner in which the *'aliyot* were apportioned. Hence my analysis relies heavily on deductive reasoning.

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<sup>8</sup> The division of the text into paragraphs has itself undergone much change over time; as late as the twelfth century, Maimonides famously decried the multitude of variations from scroll to scroll (*Mishneh Torah*, Hilkhhot Sefer Torah 8:4), and it is only since his attempt at codification of the paragraph breaks that any sort of uniformity has been achieved. However, as this article accepts Katzenellenbogen's findings and assumes that the development of the current system of *'aliyah* breaks is relatively late, I shall generally limit myself to comparisons with the paragraph divisions that have been in use, by-and-large, since Maimonides' time.

<sup>9</sup> This is a phenomenon which has long ago been noted with regards to the *ta'amei ha-mikra*. See William Wickes, *Two Treatises on the Accentuation of the Old Testament* (New York, 1970 (reprint)), II, pp. 32-35

There is one notable exception to this last statement. In his work סערת תימן, the last chief rabbi of Yemen, Rabbi ‘Amram Korah, describes the Yemenite tradition of dividing *‘aliyot*.<sup>10</sup> After noting that the Yemenite practice differs considerably from the divisions printed in most modern *ḥumashim*, he notes several key principles, which, he feels, characterize his native custom. Among these are the following:

1) Even if a single literary unit is very long, it is customary not to stop in the middle. Thus, for example, the entire Flood narrative is contained within a single lengthy *‘aliyah*.<sup>11</sup>

2) If a particular paragraph is topically distinct from those preceding and following it, so long as it contains at least three verses there is no hesitation in treating it as a separate *‘aliyah*.<sup>12</sup>

The combined effect of Rules 1 and 2 is that in the Yemenite tradition, the length of the *‘aliyot* varies significantly more than in other traditions. Perhaps the Yemenites accepted longer portions because of their greater expertise in reading the Torah, a skill which would have allowed them to read lengthy portions without overly taxing their memories; however, for the moment, this hypothesis is mere conjecture.

3) As we shall explain below, the modern custom is to eschew, if at all possible, ending an *‘aliyah* on a melancholy or disconcerting note. As we shall see below (Section 3.2) the current division of *‘aliyot* appears to interpret the Talmudic injunction underlying this principle relatively stringently. The Yemenites, on the other hand, are not so particular about this rule, and place much more emphasis on trying to end each *‘aliyah* at the end of a *parasha* or topical unit. Thus, so long as the concluding verse of a paragraph is not calamitously tragic, even if it is not particularly upbeat, a break is permitted.<sup>13</sup>

<sup>10</sup> R. ‘Amram Korah, *Sa‘arat Teman*, (Jerusalem, 1954), pp. 105-06. The work contains a wealth of historical information on Yemenite Jewry, and has been used extensively in other scholarly works. See, for instance, Aharon Gaimani, “Succession to the Rabbinate in Yemen”, *AJS Review* 24:2 (1999), pp. 301-23.

<sup>11</sup> Other examples include Ex. 26:1-30, Num. 1:1-47, 4:21-49

<sup>12</sup> Examples include Gen. 3:21-24, 33:17-20, Ex. 2:22-25 and Num. 8:1-4.

<sup>13</sup> For instance, the Yemenite custom is to stop on Gen. 34:31 and 35:8 (see below). R. Korah justifies this practice, which is at odds with all of the other

4-5) If the ending of a paragraph is particularly negative, however, the reading will continue until a more appropriate stopping place can be found, even if within a *parasha*.

As we shall see, the modern system predominantly in use today evolved along lines generally quite similar to those outlined above: a predilection for concluding at the end of a paragraph, a desire to group thematically linked passages together, etc. Indeed, to have expected otherwise would have been foolish. And yet, as this essay will shortly demonstrate, while on the surface it may appear that any discrepancies between the modern system and its Yemenite counterpart can be attributed to little more than a difference in emphasis within a broad framework of unifying principles, in fact the modern *'aliyah* division differs quite fundamentally from the Yemenite tradition.

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## 1. Conjunctions

### 1.1 *Adjacent Paragraphs*

Midrashic inferences based on the juxtaposition of consecutive verses or paragraphs are no doubt familiar to most readers. “Why was the topic of Sotah juxtaposed with that of the Nazirite?” asks Rabbi, who proceeds to explain that “whoever witnesses the degradation of the Sotah will immediately declare himself a Nazirite”.<sup>14</sup> These sorts of literary associations are often evident in the division into *'aliyot*, and

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lists of *'aliyah* divisions printed by Katzenellenbogen, by pointing out that many of the weekly readings, concerning whose endings there is no debate, also end of these sorts of melancholy notes. He cites the readings of Noah, Vayhi, Metzora, Kedoshim, and Bemidbar as proofs. R. Korah’s point is well made, and it should be noted that the division into 53 weekly readings more or less identical to those still in practice dates back to at least the times of R. Sa’adya Gaon – see Rahamim Sar-Shalom, “Parshat ha-Shavua: Mi-Minhagim Shonim Le-Minhag Ahid”, *Shanah be-Shanah* (1993), pp. 293-317; it thus predates by far any sort of standardized *'aliyah* division.

Parenthetically, one noteworthy example missing from R. Korah’s list is Parashat Balak, whose final verse mentions the deaths of thousands of Jews; see R. Abraham ha-Yarhi, *Sefer ha-Manhig*, ed. Y. Refael, (Jerusalem, 1978), p. 422, who quotes an ancient custom of extending that reading into the following week’s portion in order to avoid having to end of a note of destruction.

<sup>14</sup> b. Sotah 2a.

are especially noticeable when a particular *'aliyah* is unusually long; thus, the passages dealing with the Sotah and the Nazirite are combined into a single, atypically lengthy *'aliyah* according to almost all the historically recorded customs, the Yemenites being the notable exception. The priestly blessings are appended to this same *'aliyah* for a number of possible reasons, including the midrashic assertion that they are thematically linked to the Nazirite passage.<sup>15</sup>

### 1.2 Breaks within a Paragraph

Another telltale sign that a midrashic influence is at play is when the divisors overlook seemingly logical places at which to end an *'aliyah* (e.g. the end of a topical unit, or the end of a paragraph) in favour of a less likely candidate. Thus, when the death of Miriam is lumped in with the conclusion of the laws of the Red Heifer in the second *'aliyah* of Parashat Hukkat, the probable intent is to edify listeners of the purificative and purgatory results of the deaths of the righteous; this is accomplished at the cost of unnaturally splintering the organic unit of the Red Heifer laws into two *'aliyot*.<sup>16</sup> Likewise, in Parashat Shemini – a portion not endowed with numerous “natural” opportunities for *'aliyah* breaks in the first place – a prime opportunity to conclude an *'aliyah* at the end of a paragraph (verse 10:7) is foregone in order to connect the silence of Aaron following the deaths of his sons with his subsequent reception of a commandment directly from God, without the mediation of Moses.<sup>17</sup> Similarly, in Parashat Shofetim the service of the Levites/Priests in the Temple is contrasted with the forms of worship practiced by the pagans. The *'aliyah* is purposely truncated, stopping abruptly at verse 18:13 in the middle of the paragraph and

<sup>15</sup> See *b. Ta'anit* 26b, *Num. Rabbah* (10:25 and 11:1). An additional consideration in this case would have been the divisors' predilection for ending *'aliyot* with an expression of blessing; see below p. 9.

<sup>16</sup> *b. Mo'ed Katan* 28a, *Lev. Rabbah* 20:12. It is possible that the paragraph ending was eschewed in this instance because it ends with an expression of impurity. See below, Section 3.2.

The insertion of a break in the middle of the Red Heifer paragraph is especially noteworthy, as on *Shabbat Parah* the entire paragraph is read as a single unit. See R. Aharon ha-Kohen of Lunel, *Orhot Hayyim*, *Hilkhot Keriat Sefer Torah* #61, on the importance of maintaining the integrity of this literary unit.

<sup>17</sup> See *Lev. Rabbah* 12:2. Other examples of similar midrashic influences on the division of *'aliyot* include *Lev. Rabbah* (15:5), *Num. Rabbah* (8:3 and 21:10), *Tanhuma Pinhas* (#9), *Sifrei Deut.* (#190) and *Tanhuma Shoftim* (#16), as well as Rashi (*Num.* 15:41) and Ibn Ezra (*Lev.* 24:10).

seemingly in mid-thought, in order to stress this parallelism, which might otherwise have been obscured. This division implicitly argues that the two paragraphs comprising verses 6 through 22 actually contain two distinct ideas: one contrasting two different forms of worship (monotheistic vs. pagan) in verses 6-13, and the other delineating the role of prophecy and communication with the divine (verses 14-22).<sup>18</sup>

We encounter a similar phenomenon in the narrative sections of the Torah, where novel interpretations are implied by the subtle bundling of seemingly unrelated passages into a single *'aliyah*. A good example of this is in Parashat Vayera, where the current custom is not to end the fourth *'aliyah* at the *parasha* break at 20:18, but rather to spill over a few lines into the next paragraph. The purpose of this is clearly to underscore the causal links between Abraham's prayers on behalf of Avimelekh's household and the subsequent birth of Isaac; this is in keeping with the Talmud's lesson, derived from this very passage, that "anyone who asks for mercy on his friend's behalf, while he himself is in need of the same, will be answered first" (*b. Bava Kama* 92a).

Similarly, the fifth *'aliyah* in Parashat Lekh Lekha neglects an obvious resting place at the end of a paragraph in order to emphasise the connection between Abraham's rejection of the King of Sodom's offer of a share in the spoils of the war and his insecurity over the fulfillment of God's blessings for his own future prosperity.<sup>19</sup> Meanwhile, the first *'aliyah* in Parashat Toledot runs over into the next paragraph to emphasize that Jacob's status as holder of the birthright had been confirmed by God, who stressed that His selection of Abraham and his progeny as the Chosen People was based on their observance of His commandments, a role for which Jacob was far better suited than his irresponsible and reckless brother.

In some instances there may be several reasons why a paragraph break was neglected in favour of ending the *'aliyah* in the middle of the text. One example is found in Parashat Shelah, in which the fourth *'aliyah* continues into a second paragraph. It is obvious that the end of the paragraph which began the *'aliyah* is an inappropriate place to halt for two reasons: 1) The final phrase deals with the destruction of the *ma'pilim*; 2) The divisors wished to emphasise the continuity between

<sup>18</sup> It should be noted that some traditions call for a new paragraph opening at verse 14. See C.D. Ginsburg, *Introduction to the Massoretico-Critical Edition of the Hebrew Bible*, (New York, 1966), p. 980. Whether this would have been known to the divisors is, however, doubtful.

<sup>19</sup> See Gen. Rabbah 44:5 and Rashi *ad loc.*

the fate of the Generation of the Desert with the promise that the Israelites would indeed ultimately enter the Land of Israel.<sup>20</sup> Which of these considerations was paramount in determining the ending place of the *'aliyah* is impossible to say; however, seeing that this ending is also avoided by the Yemenites – whose tradition shows no concern whatsoever for midrashic influences – one suspects that it was the former rationale that was primarily at work.

A more interesting example of this phenomenon occurs in Parashat Shemot. The weekly portion contains precisely seven paragraphs of text, and one might have assumed that these would furnish the *'aliyah* breaks for the weekly portion. Yet we find that according to most customs, the conclusion of the second paragraph (1:22) is not employed as an *'aliyah* break; rather, the *'aliyah* continues until 2:10. There are two reasons for this, the main one being, or so one might conjecture, the macabre content of verse 1:22 – throwing the male babies into the Nile – for the divisors meticulously sought to avoid ending an *'aliyah* on a negative note. However, as we shall later discover (see below, Section 3.2), this concern, which dates back to Talmudic times, was usually enforced only when the final *words* of the *'aliyah* were negative, which is not the case here.

A more likely suggestion is that the divisors sought to connect the opening verse of Chapter II with the closing incident of Chapter I. Jewish legend held that the midwives, Shifra and Pu'ah, were in fact none other than Yoheved and Miriam,<sup>21</sup> the anonymous mother and sister of Moses whose involvement in his birth is mentioned at the beginning of Chapter II. By combining these two incidents within a single *'aliyah*, the divisors allusively sought to reveal the identity of the two heroic women mentioned in the opening chapter to the synagogue audience.

### **1.3 Breaks within a speech**

Just as the divisors' decision to ignore a paragraph break in favour of a less obvious stopping point often indicates midrashic allusions, so too must we be alert to instances in which an *'aliyah* concludes in the middle of a speech, particularly when an ostensibly more promising break is available nearby. Here, too, the break may have exegetical significance.

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<sup>20</sup> See the commentary of *Da'at Zekeinim* (Num. 15:2); this is also alluded to by Rashi.

<sup>21</sup> See *b. Sotah* 11b.

Consider the conclusion of the fourth *'aliyah* in Parashat Shemot (3:15). In response to Moses' request to learn God's name, so he can report it to the Israelites, God tells him "I will be as I will be". The next verse introduces a new speech by God, which spans verses 15 through 22. However, the divisors introduced a new *'aliyah* following verse 15, separating it from the rest of God's speech.<sup>22</sup> Why?

Many commentators have remarked on God's apparent change of heart concerning the name by which Moses should refer to Him when approaching the people. A common approach is to suggest that the appellation in verse 14 represents God's metaphysical "essence", while the title used in verse 15 represents God as He appears to mankind throughout history.<sup>23</sup> In order to highlight these two aspects of the divinity and to bring home the point that verse 15 modifies instructions previously given, the two verses are included in the same *'aliyah*.

#### **1.4 Other examples**

Finally, even when the choice of *'aliyah* markers is by no means "problematic" in any of the senses discussed above, nonetheless the division of the Torah text into discrete units could, and probably did, lead to interpretative inferences. Whether these implied readings were the result of a conscious attempt on the part of the divisors to influence the synagogue audience, or whether they arose merely as an expression of their implicit understanding of the biblical text, is moot. The result is undeniable.

Consider, for instance, the narrative detailing the "Fall". Under the modern division, which brackets Gen. 2:20-3:21 into a single *'aliyah*, Eve is clearly the cause of this disaster. The *'aliyah* begins with a brief explanation for the introduction of the female sex into Creation, and the remainder of the *'aliyah* recounts the consequences of this event, culminating in God's curses. The selection of these verses as a discrete unit is by no means an obvious one. For the Yemenites, the division is rather between the paradisiacal world as it was during Creation and the fallen universe in which we now live; this change is effectively symbolized by the image of Adam and Eve fashioning belts for themselves, with which the Yemenites conclude their *'aliyah*.

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<sup>22</sup> It is noteworthy that many lists of divisions do indeed make a break following verse 14. See Katzenellenbogen (n. 1).

<sup>23</sup> See, for instance, Hizkuni and the sources collected in *Tosafot ha-Shalem*. Rashi views verse 15 as modifying its predecessor rather than complementing it.

There is of course a limit to the extent to which midrashic or exegetical considerations can be recognized by the *'aliyot*. Thus, some of the lesser-known appositions are in fact broken up under the formal *'aliyah* system. It is unlikely, for instance, that most listeners would have any reason to suspect any type of correlation between the laws of tithing and the Sotah ritual, in spite of the Talmud's insistence to the contrary, and it need hardly surprise us that the two sections are divided during the public reading.<sup>24</sup> Indeed, it may be useful at this point to speculate on the role of Rashi and his commentary on the Pentateuch in creating a "hierarchy" of *midrashim*. The preponderance of the midrashic sources cited above as possible influences upon the division into *'aliyot* can also be found quoted, or alluded to, in Rashi's commentary. Given the immense popularity that Rashi's work enjoyed over the centuries,<sup>25</sup> and the manner in which this popularity created an informal hierarchy within the vast corpus of Talmudic and post-Talmudic *midrashim*, it need hardly surprise us that it is these *midrashim* in particular which later came to be reflected in the public Torah reading.<sup>26</sup>

## 2. Disjunctions

In certain instances, the divisors sought to interrupt narrative sections which, they felt, if read contiguously, might lead to undesirable conclusions based on the juxtaposition of certain verses.

For example, in Parashat Vayetzei, the second *'aliyah* concludes with a description of the physical beauty of Laban's two daughters, Leah and Rachel (Gen. 29:17). The very next verse reads: "And Jacob loved Rachel, and he said to Laban, 'I shall work for you for seven

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<sup>24</sup> See *b. Berakhot* 63a. For other instances in which midrashic connections are not reflected in the *'aliyah* divisions, see *b. Zevachim* 88b, *y. Yevamot* (2:4), *Num. Rabbah* (7:2), *Yalkut Shimoni* (Deut. #960, Isaiah #459), Rashi (Ex. 21:1), *Ramban* (Num. 8:2). Many of these involve comparisons between the closing of one weekly portion and the opening of the next. Also the capacity of an individual weekly portion to absorb these sorts of *semikhot* is limited by its size; thus, we find no recognition of R. Yose bar R. Hanina's explanation of the various topics mentioned in Parashat Be-har (see *b. Kiddushin* 20a). Similarly, the difficulty involved in grouping the incident of Judah and Tamar with that of Joseph and Potiphar's wife, which would have created an exceedingly lengthy *'aliyah*, likely led the divisors to disregard the reading of the midrash (Gen. Rabbah 85:2) connecting these two stories.

<sup>25</sup> See Avraham Grossman, *Hahmei Tsarfat ha-Rishonim* (Jerusalem, 2001), pp. 212-15.

<sup>26</sup> I thank the anonymous reviewer of this article for this observation.

years in exchange for Rachel, your youngest daughter.” The juxtaposition of the two verses is intentional, implying that Jacob’s unusual choice of the younger of the two sisters was motivated by her superior beauty. There is no other reason for inserting the description of the two girls in the middle of the narrative.

Why then is the *‘aliyah* division inserted between two verses so closely connected as these? It seems that the divisors were uncomfortable with the implication of these verses. Was Jacob, biological and spiritual father of the Jewish people, so concupiscent that he was mainly attracted by Rachel’s physical beauty? If so, would this not also imply that he hated his other wife, Leah, because she was plain? These are disconcerting questions for those who wish to idealize Jacob,<sup>27</sup> and it need hardly surprise us that the divisors sought to sever the connection between the two verses.<sup>28</sup> Similarly, the placement of an *‘aliyah* break on Gen. 41:52 appears designed to emphasize the point made in *b. Ta’anit* (11a), namely that Joseph’s children were born prior to the onset of the famine.<sup>29</sup>

In modern *humashim*, the fifth *‘aliyah* in Parashat Toledot ends with Gen. 27:27: “The smell of my son is as the smell of a field which

<sup>27</sup> Cf. R. Hayim ibn Attar, *Ohr ha-Hayim*, *ad loc.*, who raises this problem. His attempt at an answer is unsatisfying.

<sup>28</sup> There is a very similar ending to the fifth *‘aliyah* in Parashat Vayeshev, which concludes with the words “And Joseph was beautiful in visage and appearance” (39:6); this undoubtedly is meant to foreshadow the following events that are reserved for the next *‘aliyah*. In that case, however, there is ample reason to justify breaking the *‘aliyah* at verse 6, as the following verse begins with the standard introductory formula “And it happened, after these things...” Indeed, it is usual for such a formula to occur at the beginning of a new paragraph, and it is somewhat surprising that no paragraph break was inserted at this point (however, see *Minhat Shai*, *ad loc.*).

That being said, it is also possible to view the peculiar *‘aliyah* ending in Parashat Vayetzei as an instance of a tendency on the part of the divisors to end *‘aliyot* with similar concluding phrases, and that the break at 29:16 follows from the more natural stop that appears at 39:6. Similarly, the phrase “*tahat ashdot ha-pisga*” (Deut. 4:49) concludes the third *‘aliyah* of Parashat Va-ethanan, appearing as it does at the end of a paragraph. In Parashat Devarim the same phrase appears under certain schema cited by Katzenellenbogen as the end of the sixth *‘aliyah* (Deut. 3:17), in spite of no obvious qualifications as a concluding verse. Doubtless there are other examples of this phenomenon, which would have been particularly handy as a mnemonic for readers trying to remember where to stop.

<sup>29</sup> The division also serves to highlight the parallel verses that follow (“*Va-tikhlena...va-tehillena*”).

the Lord hath blessed.” The placement of the break is highly puzzling. Not only does it interrupt Isaac in mid-speech, but it appears to cut off the conjunctive *vav* that begins the next verse from the previous clause. In verse 27 we are told that indeed, Isaac blessed Jacob; but we are then left in suspense until a new *'oleh* is called! As Rashi points out, the simple understanding of the *vav* is that it connects the blessings previously bestowed upon Jacob by God Himself to those now being conferred by Isaac; yet the manner in which the current system divides *'aliyot* completely obscures this link. In fact, the division of verses 27 and 28 into two separate *'aliyot* is historically almost unprecedented. Much more prevalent was the custom of stopping after verse 33, which concludes with the words “May he too be blessed”.

The reason behind this peculiar division is rather unclear. Most likely, this is yet another example of the divisors' penchant for breaking at places which create a sort of “inverted parallelism”, in which the final verse of one *'aliyah* is then amplified in the opening verses of the next.<sup>30</sup> This resumptive property serves in many instances to highlight and underscore the causal links between apparently disparate ideas or events.<sup>31</sup> (See below, Section 3.3, for a more particular type of this phenomenon.)

The Yemenite division, by contrast, is typically more concerned with the narrative and topical integrity of each separate *'aliyah*, and the effect is to create a Torah reading which presents a concatenation of seemingly unrelated, self-containing passages. Indeed, the many examples adduced thus far to illustrate the midrashic motivations behind many of the difficult *'aliyah* divisions employed in the modern custom find almost no parallel in the Yemenite tradition. There the Sotah and the Nazirite are two distinct topics, each with its own set of laws, and each ensconced securely within its own separate *'aliyah*. Avimelekh was cured, and Isaac was born, but the Masoretic text makes no connection between the two events, and so neither do the Yemenites. This tendency, which stems at least in part from a general unwillingness to deviate from the system of *parshiyot* found in the

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<sup>30</sup> There are many other examples of this phenomenon. See for instance the divisions at Gen. 2:19, 23:16, Lev. 25:18, Num. 16:13, Deut. 2:38, 3:14

<sup>31</sup> It should be noted that verse 27:28 also served as the opening verse to a new *sidra* under the triennial cycle, and as the beginning line of a section of the evening prayers recited on Saturday night. It is certainly possible, then, that these other contexts, in which it featured so prominently, led the divisors to grant it special emphasis in the weekly Torah reading as well.

Masoretic text, is a fundamental characteristic of the Yemenite custom. It is also one critical area in which the modern system differs significantly from the ancient Yemenite rite.

### 3. Concluding Verses

#### 3.1 Blessings

We have seen that under the modern system of divisions the fifth *'aliyah* in Parashat Toledot ends with an expression of blessing; this need hardly surprise us, as the Talmud (*y. Megillah* 3:7) emphasizes the importance of beginning and concluding *'aliyot* on such positive notes.<sup>32</sup> This directive has been widely applied under the modern system of divisions, and it can be stated without exaggeration that it is probably *the* most significant influence on the division of the *'aliyot*. Thus, we find it applied in determining the terminus of the lengthy fifth *'aliyah* in Parashat Vayishlah, which ends on a particularly propitious note in the middle of God's blessing to Jacob – at the cost of concluding the *'aliyah* both in the middle of a paragraph and in the midst of a speech. A similar case is that of Gen. 45:7, at which point Joseph's speech is divided between two *'aliyot* in order to highlight the suggestion that his sale into Egypt servitude was in fact a blessing in disguise. The principle is probably also behind the peculiar division between the second and third *'aliyot* in Parashat Toledot, in which Isaac's prosperity is introduced at the end of *sheini* and then elaborated upon in the two opening verses of *shelishi*. While one could attribute this break to the previously described wish to introduce a degree of inverted parallelism in the reading of the story (see above, Section 2), the main reason for it is probably the desire to conclude the second *'aliyah* with the words "and God blessed him". All of these examples underscore the level of importance associated by the modern divisors with ending *'aliyot* with blessings.

Many other examples of this phenomenon could easily be adduced; however, once the listener has been alerted to the phenomenon they are quite noticeable.<sup>33</sup> One point does, however, merit special mention. Some verses, which do not literally conclude with blessings,

<sup>32</sup> See Rema (Orah Hayim 138:1) where this principle is codified in mainstream *halakha*.

<sup>33</sup> Thus, the fourth *'aliyah* of Parashat Toledot ends within the middle of the paragraph after an abnormally small number of verses in order to conclude with Avimelekh's blessing of Isaac (26:29). Other examples of *'aliyot* concluding with blessings include: Gen. 2:3, 9:7, 12:13, 14:20,17:6, 31:27, 32:12, 32:29, 43:29, 47:10, 48:9, Ex. 19:23, 23:25, Num. 6:27, 22:12, Deut. 8:10, 12:10.

but which, when taken out of context as short quotations, *sound like* blessings directed in the second person towards the congregation, were also occasionally emphasised by the divisors by their selection as closing verses for *'aliyot*. For example, see Gen.45:18 (“And eat from the fat of the Land”), Deut. 4:4 (“But you, who have remained firm with God, are alive, every one of you, today!”).<sup>34</sup> A similar concern has already been detected by Avigdor Shinan in the context of the Targumim,<sup>35</sup> and it speaks to the larger role that the Torah reading played in the lives of those in attendance. Shinan emphasises the importance of the fact that the Targum was recited with the *meturgeman* directly facing the congregation, a factor which does not apply to the Torah reading itself. Nevertheless, it would undoubtedly please the congregation to hear such “blessings” and apply them to themselves. One of the staples of rabbinic homily is the interweaving of the details described in the weekly Torah portion with contemporary events, and the secondary significance of the highlighted verses would not have been lost on their audiences.

### 3.2 Curses

The reverse of the above-mentioned predilection is equally in evidence under the modern division. R. Shimon ben Laqish rules that “we do not recite a blessing over punishments” (*b. Megillah* 31b), and indeed the *'aliyot* are divided in such a way as to avoid such situations.<sup>36</sup> Two good examples can be found in Parashat Vayishlah. The fifth *'aliyah* in that reading is especially lengthy, and passes over two separate paragraph breaks before ultimately stopping in the middle of a paragraph. Resh Laqish’s ruling explains this choice, since the two paragraph breaks that were skipped mention, respectively, the defiling of Jacob’s daughter and the death of Deborah, Rebecca’s old nurse. Again, the sixth *'aliyah* in Parashat Bereishit ends with the “ascent” of Enoch, rather than with the deaths of any of the other

<sup>34</sup> A custom motivated by similar concerns seems to have erroneously crept into the practices of some communities, which would make a stop at Deut. 5:3, a mere two verses from the opening of a new *parasha* and in flagrant violation of a well-known Talmudic rule (see *b. Megillah* 22a). See R. Joseph Hahn Nurlingen, *Yosef Omets*, #517 (Frankfurt, 1723).

<sup>35</sup> See above, n. 3.

<sup>36</sup> See, however, the comment of R. Aaron of Lunel, *Orhot Hayyim*, *Hilkhot Keriat ha-Torah*, #9, where the concluding verses of *הזיו"ו ל"ך* are explained as having been selected precisely “because they are words of rebuke, so that the [audience] will repent”.

members of the genealogy, in order to avoid ending the *'aliyah* with the mention of death.<sup>37</sup> In Parashat Va'era, it is remarkable that three out of seven *'aliyah* endings occur in the middle of paragraphs, although the portion offers many opportunities for endings that coincide with paragraph breaks; the divisors were evidently reluctant to end any section with the depressing mention of Pharaoh's refusal to release the Israelites.

Telling evidence of this tendency, which might almost be called an obsession, is found in Parashat Devarim. While many *humashim* indicate that the first *'aliyah* ought to terminate with verse 11, it is now customary to halt after verse 10, in order to avoid beginning the second *'aliyah* with the words "*eikha essa levaddi...*", which are reminiscent of the first words of Lamentations, which is read the following week, on *Tisha be-Av*. This custom is relatively new; the majority of Katzenellenbogen's textual evidence gives verse 11 as the prescribed final verse. Halakhic scholars have long vacillated between the two options. In the 15<sup>th</sup> century work, *Leket Yosher*, R. Joseph ben Moshe ponders whether the word *eikha* really does possess a melancholy connotation.<sup>38</sup> In his 1936 work *Mikra'ei Kodosh*,<sup>39</sup> R. Tsvi Hirsch Grodzinsky addressed the issue; he argued that the two customs reflect different sides of an argument that appears in the Jerusalem Talmud (Megillah 3:7).

This Talmudic aversion to concluding *'aliyot* negatively has been significantly extended by the modern divisors, particularly in the almost complete avoidance of ending an *'aliyah* with any terms related to ritual impurity (טומאה). In Leviticus several paragraph endings are passed over, concluding as they do with such expressions (e.g. 11:28 and 38; 13:8; 14:46; 15:18, 24); instead, more appropriate verses are found whose final clauses, although appearing the middle

<sup>37</sup> There are numerous other examples in which a more obvious candidate for the terminus of an *'aliyah* – typically the end of a paragraph – is passed over in favour of a spot within the paragraph for precisely this reason. Examples of paragraph endings include Gen. 17:14, 27:35, 36:29, Ex. 1:22; 2:22; 6:9; 6:12, Deut. 7:16, 7:26.

<sup>38</sup> The relevant section reads as following: 'לפ' אלה הדברים, רוצה הקורא להניח פ' ראשונה בכוכבי השמים לרוב, ואמר הוי מסתיים כאשר דבר לכם, ואמר בנו איך שייך להתחיל בפורעניות כמו איכה, ואמר כן שמע מרבו מוהר"ר אהרון זקצ"ל כדי להקדים איכה של משה קודם איכה של ירמיה. Ed. Freimann, (Berlin, 1902), v. 1 p. 109.

<sup>39</sup> Omaha, Nebraska, Chapter 7, subsection 27, note 41. On Grodzinsky in general, see J. Rosenbaum and M. Wakschlag, "Maintaining Tradition: A Survey of the Life and Writings of Rabbi Zvi Hirsch Grodzinsky", *American Jewish History*, 82 (1-4).

of a paragraph, speak of purity (טהרה) or other more acceptable concepts.

Finally, it is important to note that the concern to avoid negative endings was generally limited only to the final *word* or *clause* of a verse. When this was not the case (e.g. Ex. 28:43, Lev. 22:16), the decisors did not hesitate to end the *'aliyah* in a manner that could be construed as negative.<sup>40</sup>

### 3.3 Dramatic Endings

In addition to the narrow goal of concluding *'aliyot*, wherever possible, with a blessing, one can also observe within the *'aliyah* system a broader concern with reaching a climactic note at the end of *'aliyot*. This type of emphasis has already been detected in the system of cantillation employed in reading the Torah<sup>41</sup> – the טעמי המקרא – and it is no surprise to find it cropping up in the system of *'aliyah* divisions as well. Consider Gen.42:18: “And Joseph said to them on the third day, ‘This shall you do and thereby shall you live: I fear the Lord!’” The *'aliyah* ends in the middle of Joseph’s speech, without enlightening listeners as to what exactly Joseph plans to demand of his estranged brothers. From an informational point of view this seems like an inopportune place to pause. Only when one considers this abrupt break within its public, oratorical context can one begin to appreciate the dramatic, “cliff-hanger” effect created by concluding with this short, punchy verse.<sup>42</sup> This type of suspenseful ending is particularly common following expressions of fealty to God: vows, prayers, sacrifices all feature prominently at the conclusion of *'aliyot*, and to some extent can be seen as a broadening of the mandate, previously mentioned (Section 3.1), of ending each *'aliyah* with an uplifting message.<sup>43</sup>

<sup>40</sup> There are exceptions to this statement, however. Thus Lev. 13:46, which would have seemingly been an ideal place to stop, is nonetheless eschewed.

<sup>41</sup> See, for example, the comments of Rabbeinu Bahye on Gen. 39:8 discussing the rare use of the *shalsholet*. Cf. the rather snide comments of William Wickes, *Two Treatises on the Accentuation of the Old Testament* (New York, 1970), II p. 85 n. 4, who nonetheless agrees that there must originally have been some midrashic significance attached to the use of the *shalsholet*. Of course, to a large extent the original intent is beside the point; over time certain notes are heard by both the rabbis and the masses to convey such midrashic significance.

<sup>42</sup> A similar example is Gen. 15:6.

<sup>43</sup> See Gen. 9:17, 13:4, 13:18, 18:14 (possibly), 19:20, 28:22, 33:5, 33:20, 49:18, Ex. 9:16, 14:8, Lev. 9:23, Num. 14:7.

This sort of effect is generally absent from the Yemenite division which, as noted, places much greater emphasis on the narrative integrity of each *'aliyah*. Thus, while the modern custom is to end the third *'aliyah* of Parashat Hayeri Sarah with verse 24:25, the dramatic description of Abraham's servant prostrating himself in gratitude to God for having aided him in fulfilling his mission, the Yemenite practice was to complete the narrative module by continuing the *'aliyah* one verse further and recording the actual contents of his prayer of thanksgiving. A similar analysis could be made of the following *'aliyah*, in which the Yemenites again show no interest in concluding with the image of the prostrate servant, eschewing verse 52 and instead selecting its predecessor as their final phrase. While this proclivity is no doubt more satisfying from a syntactical perspective, preserving as it does the logical links between successive verses, it tends to remove much of the drama from the public recitation.

### Conclusions

The public Torah reading played a dual role in pre-modern Jewish society.<sup>44</sup> One purpose was edificatory. Ancient sources describe the institution as a means by which even the least intellectually inclined members of society could gain rudimentary instruction in the Divine law.<sup>45</sup> It is thus clear that the manner in which this weekly lesson was delivered, and how its components were divided into sections, its verses grouped or disjoined, would have been important. As we have seen in Sections 1 and 2 of this essay, the divisors were keenly aware of this element. By manipulating the ebb and flow of the Biblical text, they were able to subtly mould the meaning of the Divine Word. Whether this editorial effect was conscious or not is impossible to say, but its presence is undeniable.

In addition, the Torah reading functioned as a kind of mirror of Jewish communal life. This idea is of course reflected in the special portions prescribed in the Mishnah (Tractate Megillah) to be read on the various festivals and other important dates; later innovations, such as the special reading on the Sabbath following a local wedding, underscore the fact that this conception of the Torah reading remained

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<sup>44</sup> See the comments of R. Joseph B. Soloveitchik, *Shi'urim le-zekher abba mori z"l* v. I pp. 153-75

<sup>45</sup> *Mekhilta Beshalah* (Va-yasa'), Ch. 1, *b.Bava Kama* 82a.

quite prevalent.<sup>46</sup> It also played itself out in a number of other, quite different ways. A malevolent reader, it was believed with utmost sincerity, could inflict significant damage on the members of his audience should he choose to direct the maledictions of Parashat Behukotai against them in the course of the Torah reading.<sup>47</sup> By contrast, due to the popular desire to share the reading of certain passages such as the Ten Commandments or the Song of the Sea, the Rabbis were forced to yield to dubious halakhic rationalizations and to permit all the members of the synagogue to read these texts in unison from their *humashim*.<sup>48</sup> Section 3 of this essay makes clear that this concern with bestowing the Torah's "blessings" on the listeners – and protecting them from even the most veiled of associations with damnation and impurity – was also considerable.

We are now in a position to propose a set of underlying principles that characterize the modern system of *'aliyah* divisions.

1. The divisors sought to achieve a balance between maintaining the integrity of the biblical narrative and having *'aliyot* of relatively even lengths. It is important, however, not to attempt to read too much into the bundling together of seemingly discrete passages into a single *'aliyah*; often, the consideration is no more esoteric than a simple desire to maintain a consistent *'aliyah* length.
2. The divisors sought to amplify the hidden connections between seemingly unrelated passages and thereby tease out homiletical messages.
3. As a consequence of principle 2, the divisors placed only secondary emphasis on concluding each *'aliyah* at the end of a physical paragraph ("*parasha*").

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<sup>46</sup> The precise origins of the custom are unclear; see, for instance, R. Nathan of Rome, *Sefer Ha-'Arukh*, entry for "Hatan".

<sup>47</sup> R. Judah ha-Hassid in his *Sefer ha-Hassidim* (ed. Margalioth #766). This "ruling" is cited by R. Isaac ben Moses, *Or Zaru'a* (I:114), and thence by R. Moses Isserles, *Darkhei Moshe* (Orah Hayim 53:6). Such concerns may, however, have existed in Talmudic times as well: see *b. Shevu'ot* 35a (and Rashi s.v. *zo hi*) and 36a.

<sup>48</sup> See R. Israel Isserlin, *Responsa Terumat ha-Deshen* #24.

4. The divisors endowed the concluding words of *'aliyot* with far greater significance than did the Yemenites. Thus:
  - Negative endings containing words dealing with curses, impurity, punishment, destruction and death were avoided if at all possible.
  - Similarly, positive endings containing expressions of blessing were targeted.
  
5. The divisors sought to end *'aliyot* at dramatic junctures in the narrative, rather than encompassing the entire narrative section within a single discrete *'aliyah*. Thereby, they sought to preserve a sense both of narrative suspense and of continuity between adjacent *'aliyot*.

A quick comparison of the above principles with those developed by R. Korah based on the Yemenite tradition reveals a significant number of differences, which I am at a loss to explain, but which suggest further directions of research. It seems plausible that the public Torah reading played different roles within different Jewish civilizations. The modern system does appear to be more midrashically oriented than its Yemenite counterpart, which seeks to relay the contents of the Torah on a more literal level; whether it is possible to extrapolate from this observation to yield more general insights into the role of the Torah reading and of *midrash* in both European and Yemenite society remains a matter for further investigation.