

THE HALACHIC ADAPTATION OF THE
"TA'AMEY HA'MIKRA" TO THE CANTILLATION
OF TORAH DURING GEONIC TIMES

- by -

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Report on Mr. Joel Goor's Thesis:

The Halachic Adaptation of the "Te'amay Ha-Mikra"
to the Cantillation of the Torah During Geonic Times.

Mr. Goor has undertaken to examine those primary sources, which have come down to us, concerning the age and respective relationship of scriptural cantillation and masoretic accentuation. His study has, as it must, inevitably drawn him into that no-man's land between grammar, rhetorics, talmudic, historical, and musicological frontiers. This writer is pleased to say that Mr. Goor has been able to extricate himself successfully from his difficult enterprise, and that he has, almost like a pioneer, reached important and far-reaching conclusions.

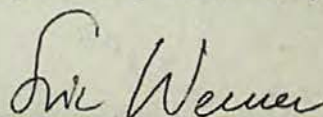
Taking no second-hand or hearsay for evidence, Mr. Goor sets out to search for talmudic evidence of ta'amim. Disposing of all pertinent passages, he denies the existence of accents in the talmudic literature. On the other hand, he discusses the strong and positive evidence for the ancient tradition of scriptural cantillation; yet there is no connection between the accents and the practice of cantillation. He finds the first definitive document of a rabbinic fiat, linking the accents with cantillation, in a responsum of Natronai II Gaon. This responsum is most extensively and carefully analyzed by Mr. Goor, and linked with the internecine fights over the Karaite issue. In the subsequent chapters Mr. Goor examines the respective theories concerning origin and age of the masoretic accents, from Redak to Levita and Euxtorf.

A special chapter on cheironomic (pre-accentual) practices is well inserted in the historical studies.

Closer familiarity with musicological and ethnological methods would have provided Mr. Goor with powerful tools for a morphological approach; yet as it stands by now, the thesis represents a most creditable and fruitful examination of a thorny, yet important problem.

Hence I am delighted to recommend the acceptance of Mr. Goor's thesis in partial fulfillment of his scholastic obligations. If it were revised and extended, I should not hesitate to recommend it for publication.

Respectfully submitted,


Eric Werner

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It is only fitting that those responsible for a work should be acknowledged at the outset; the author wishes to thank formally the following people who have contributed in no small measure to its development.

Dr. Samuel Atlas, Dr. Leon J. Liebreich and Dr. Harry M. Orlinsky who rendered assistance in areas of their special competence; Katherine Markush and Susan Tabor who not only managed to provide the proper books during a time of renovations to our library but did so with a pleasant countenance and then helped translate passages from books in European languages; Rabbi I. Edward Kiev without whose vast knowledge few students could find their way to the necessary sources; Lillian Wittenberg who typed all the manuscripts and Jack Wittenberg who enabled this to be done though it meant certain hardships.

Most of all the author is indebted to his wife, Stephanie, who made the greatest sacrifice of separation from her husband and home so that the problem of lack of quiet working quarters would be

alleviated and whose love has made her the helpmate one needed throughout a "long" five years; Donald and Richard who will not remember being away; our parents who received us in the time of our need; Dr. Eric Werner, teacher and counselor, who suggested the subject, provided the basic sources, offered help and assisted at every step of the way, painstakingly read and corrected no less than two drafts and suffered the shortcomings of the author ---- he is more than just a scholar which he is acknowledged to be.

Joel S. Goor

In the remnant of our language
are implanted subtle elements calculated to promote
understanding. . . .These are the accents with which
the holy text is readon which subject books
might be written.

Kuzari II, Par. 72

INTRODUCTION

It is well known that the Hebrew Bible text is furnished with a system of Massoretic signs that perform three functions:

- 1) Determine the syntax of the verse by providing the elements of punctuation.
- 2) Indicate the musical cantillation of the various sacred texts, i.e. the "trop".
- 3) Indicate the syllable that is to receive the accent in pronouncing the words.

Many questions have been raised concerning the primary function of these so-called accents or "te'amim". For which of the three purposes were they originally intended? When, how and where did they originate? In what manner were they adapted for use according to their other functions? When and under what conditions was this accomplished?

The question of the origins and interrelationships of this so-called Massoretic system of accentuation and the cantillation of Scripture has been subjected to much scholarly investigation yet suffers from much difference of opinion. The Danish scholar, Carsten Hoeg, Prof. P. Kahle, and previously, F. Praetorius, reviewed the results of earlier work in the field and confirmed the opinion of O. Fleischer that our system of Massoretic signs constitutes a special case of the general category of "ekphonic accents" known

to the Alexandrian and Roman grammarians, a system spread over the entire Mediterranean area and used in the Byzantine, Syrian, Armenian, Roman and Coptic churches¹.

Hoeg systematically reviews and discusses the contributions of Idelsohn, Spanier, and Praetorius². Idelsohn³ presented the view that the accents always possessed some musical value. Spanier, on the other hand, held that they were originally syntactical and not musical in character. Hoeg then draws his conclusion above, pointing to the similarities between the various systems and rejecting, as does Dr. Eric Werner, the theory of Praetorius "that the Massorites borrowed the ekphonic system from Greek Evangelists"⁴. This repudiation is necessary because of the discovery of manuscripts containing the pre-Tiberian or so-called Palestinian system of accentuation which does not resemble the Greek system. Dr. Werner concludes, "It is probable that the Massoretic accentuation is a complex of signs taken both from the contemporaneous Syrian system and the older Hebrew 'cheironomic' tradition (the use of hand signs indicating the course of melody). . . One thing is certain today. Musical cantillation itself is prior to all systems of accents, which

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1. Hoeg, Carsten, La Notation Ekphonetique, Copenhagen, 1935
2. Ibid, p. 139
3. Idelsohn, A. Z., Jewish Music, Its Historical Development, New York, 1929
4. Werner, Eric, "Preliminary Notes for a Comparative Study of Catholic and Jewish Musical Punctuation", Hebrew Union College Annual, 15:338-40, 1940

were invented subsequently only to serve the purpose of fixing and stabilizing the oral tradition".⁵

Having reached these general conclusions we now have to examine our own sources in the light of these new findings. First, what Rabbinic evidence is there for the existence of ekphonetic accents?

CHAPTER I

Nedarim 37a discusses the question of the conditions under which one who has vowed not to receive benefit may perform duties. The Mishnah says, "He may not teach 'mikra' (for compensation) but he may teach 'midrash-Halachot and Agadot." The reason he may not teach 'Mikra' is because in receiving benefit for so doing he would not be analagous to God and Moses who gave the Torah freely.

The question is raised as to the precise meaning of 'Mikra', in this case. Rabbi Jochanan, a first generation Amora, C.199-279, said, *מִקְרָא פְּסוּקִים רַבִּי* is meant. Rab, who founded the academy at Sura in the year 219 and died 247, said it is *רַבִּי מִקְרָא*.

During the course of the debate the reason is given why Rab rejects the view that 'Mikra' means *מִקְרָא פְּסוּקִים*. It is because *כִּי הֵם מִן הַפְּסוּקִים*, "The 'Pesukim' are of biblical origin."

We are concerned with the meaning of *מִקְרָא פְּסוּקִים*. Jastrow was hasty in assuming that it should be read as punctuation signs or accents".⁶ This assumes the existence of written signs

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5. Ibid, p. 340 & 337

6. Jastrow, Marcus, A Dictionary of the Targumim, The Talmud Babli and Yerushalmi, And the Midrashic Literature, New York, 1926, p. 543.

which cannot be deduced from our passage merely on the basis of its context; nor can it be assumed from similar passages as we shall show below.

What meaning may we safely attribute to the passage? קסב,
 from the Biblical קעב, means "dividing" or "separating"; in the course of time it became associated with the reading of Scripture and came to mean the separations, divisions, pauses, interruptions in the text. קטב has as its basic meaning, "to taste", but during the course of time it assumed the broader meaning of "giving the sense or wisdom of a thing".

On the basis of these meanings we may assume nothing more than that ק'ס'ב ק'ט'ב means "the division (of verses - Mikra) according to their sense". How this was noted or transmitted - by means of written signs, accents, manual instruction -- is not stated in this text.⁷

The text bears out this reading further by equating the teaching of "pesuk t'amim" with "the first teaching (reading) of a text - the first lesson", קורן בתחילה as distinguished from קורן בשנית, "repeating it for the first time, or the second reading." In other words, the first lesson on a new text would concern itself with the most basic aspect of understanding the text, namely the logical pauses, the punctuation, the syntax, the "pesuk t'amim".

Rab⁸ supports his view for the Scriptural authority of

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7. Wickes, Wm., A Treatise on the Accentuation of The Twenty-One So-called Prose Books of the Old Testament, Oxford, 1887, following his basic theory of the prior musical value of the accents speaks of the non-existence of signs during Talmudic times but says we must understand it as meaning "the pausal melodies which determine the meaning". p. 9. This conclusion likewise lacks textual basis, but approaches modern views.

8. Ned. 37b

"pesuk te'amim" by quoting Neh. 8.8 and interpreting it according to the Talmudic practice of seeking additional meanings for any words that seem superfluous to the simple meaning of a text, such as the poetic repetition of words or the use of synonyms to achieve added emphasis. Any apparent redundancy must contain within it the possibility of added meaning.

וְקָרָא קְסָפָה תְּוֹרַת אֱלֹהִים - זֶה מִקְרָא
מִכּוּרָשׁ - זֶה תְּרַקֵּם
וְיוֹקֵשׁ - אֵלָיו בְּפִסּוּקִים
וְקִיְנוּ מִקְרָא - זֶה פִּסּוּק לִמְנָח

The words of Neh. 8.8 therefore, give authority not only for the

מִקְרָא -- the text itself, but also for the תְּרַקֵּם -
the translation in the known tongue, the פִּסּוּקִים, and finally
the פִּסּוּק לִמְנָח. As פִּסּוּקִים must refer to the divi-
sions into what we now call "verses," The question arises as to the
meaning of פִּסּוּק לִמְנָח in view of our stated Talmudic
practice of avoiding superfluous expressions. It cannot mean the
divisions of the verses themselves -- this idea is conveyed amply
by בְּפִסּוּקִים. It must then be understood as referring to the
further divisions of the verses, the internal pauses.⁹

Another use of the expression "pesuk te'amim" occurs in
Chag. 6b where doubt is expressed concerning the meaning of a
specific verse of Scripture.¹⁰ In answer to the question, "In what
case will it be of consequence?", Mar Zutra (414) said, פִּסּוּק
לִמְנָח. Here again we are certain only of the meaning,

9. Cf. Meg. 3a and B. Rabah Par. 36.

10. Cf. also Yoma 52b

"the divisions according to the sense." Since the textual problem in question arises out of the possible syntax of words in the middle of a verse, we have additional support for the translation "the further divisions of the verses, the internal pauses"¹¹.

Therefore, by the mid third century the Torah was rendered according to verse as well as further internal divisions. Since the meaning and the teaching of the text is the subject of the discussions that frame the words "pesuk te'amim", we may conclude that the divisions were made and used for syntactical and exegetical purposes. As of yet, though, no mention of written signs can be substantiated; we are not told how these pauses were noted and taught. Also, there is no mention of music.

The first mention of an actual written sign is in Exodus Rabah para. 2.

וְאֵלֶּיךָ מִן הַשָּׁמַיִם וְאֵלֶּיךָ מִן הַשָּׁמַיִם
וְאֵלֶּיךָ מִן הַשָּׁמַיִם וְאֵלֶּיךָ מִן הַשָּׁמַיִם
וְאֵלֶּיךָ מִן הַשָּׁמַיִם וְאֵלֶּיךָ מִן הַשָּׁמַיִם
וְאֵלֶּיךָ מִן הַשָּׁמַיִם וְאֵלֶּיךָ מִן הַשָּׁמַיִם
וְאֵלֶּיךָ מִן הַשָּׁמַיִם וְאֵלֶּיךָ מִן הַשָּׁמַיִם

An anonymous author, in commenting on Exodus 3.4, noticed that whereas in other cases of the immediate repetition of a personal name, the names are divided by the "paseq", the "paseq" was absent in this case. Fixing a precise date for this passage presents difficulties, as it is, unfortunately, an anonymous midrash.

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11. It is interesting to note that Hisda, C.300, and Zutra, C.414, are not sure of the meaning whereas Isaac, C.200, is sure. This is in accordance with Kahle's theory that the Massorah is a unification of divergent texts, or a reversing of a trend away from the original unified interpretation of the Bible.

Strack¹² and Zunz¹³ divide Exodus Rabah into two parts, the first part, into which our verse falls, being derived in part from early Midrashim is probably immediately post-Talmudic. Exodus Rabah was not redacted before the 11th or 12th Centuries but our passage is in the section that could have been written as early as the sixth century.

Fortunately, we possess external evidence that helps date this passage more precisely. Bauer and Leander¹⁴ tell us that a sign corresponding in use to our "paseq" has been found in the proto-Palestinian Massorah. In the few verses that were investigated by Fuchs it was found as often as seven times, suggesting its use was somewhat developed by the time these manuscripts were written.

Concerning the various Massoretic traditions, Kahle¹⁵ shows that the Tiberian, the system finally accepted by all Jews and used to this day, was formulated during the period from the end of the eighth century to the time of the codex of Moshe b.

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12. Strack, Hermann L., Introduction to the Talmud and Midrash, Philadelphia, 1931, p. 215
13. Zunz, L., Die Gottesdienstlichen Vorträge Der Juden Historisch Entwickelt, Frankfurt, 1892, p. 268-9
14. Bauer, Hans & Leander, Pontus, Historische Grammatik Der Hebraischen Sprache Des Alten Testaments, Halle, 1922 p. 156-160
15. Kahle, Paul E., The Cairo Geniza, London, 1947, p. 55 ff.

Asher in 895 and the subsequent completion of the work by his son Aaron during the first half of the tenth century. This period corresponds with the five generations of massorites of the ben Asher family preceeding Moshe.¹⁶

The earlier Babylonian system, developed in the heart of the Jewish world where interpretation of Biblical passages necessitated their precise renderings, had developed considerably by the end of the ninth century when it gave way to the influence of the Tiberian system. That it was quite complicated by this time is suggestive of a long prior development which is supported by evidence of an Eastern Syrian system of accents that had taken definite form by the beginning of the eighth century. A relationship between the two systems is most probable.

The more recently discovered Palestinian Massorah is contemporaneous with the Western Syrian Ekphonic notation which developed between the seventh and ninth centuries. Only a few vowels and accents were used; According to Fuchs (above), the "paseq" occurs quite frequently. Hoeg¹⁷ also concludes that the stage of development of the notation in eighth and ninth century manuscripts points to a beginning no later than the end of the sixth century.

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16. See article on "Aaron Ben Moses Ben Asher", by Levias, Casper, J. E., Vol. 1, p. 18

17. Hoeg, Carsten, Op. cit. Chapter 9

In view of all evidence, external and internal, we may reach certain conclusions concerning the date of this anonymous passage. Since Zunz places the authorship of this section of Exodus Rabah in the period immediately following the close of the Talmud, and since the existence of a Palestinian accentuation originating at the end of the sixth century is well known for more than forty years, we may safely date this passage as early as the seventh century.

Though we have found evidence of a written accentuation, it has no bearing upon the age of cantillation, for the "paseq" is a non-musical accent, according to Bauer-Leander¹⁸ and Wickes¹⁹ being used for a hiatus when similar or identical words or letters follow one another as well as when two contiguous words require distinguishing as to sense.

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18. Bauer and Leander, Op. cit., p. 160. The "paseq" is used to separate
- a. similar letters
 - b. identical words
 - c. A repetition of the "Shem Ham'phorash"
 - d. Two words that require separation as an incorrect meaning might otherwise be derived
 - e. Two disjunctive accents when the sense of the verse requires it.

19. Wickes, William, Op. cit.

CHAPTER II

What does an investigation of the Biblical and Talmudic passages referring to music and cantillation reveal as to their connection with signs, te'amim?

The often accepted hypothesis that Ezra introduced the cantillation of the Torah is without any textual basis, (see below); Neh. 8.8, the verse usually cited to support this theory, is devoid of any reference (or even a single word) remotely suggestive of music or chanting. Perhaps the generally accepted theory that Ezra introduced the regular Torah-lesson was too ready a target on which to pin the related practice of cantillation. The later interpretations of these passages offered fertile opportunities for anachronistic reasoning as we have shown above.²⁰ The Talmudic interpretation of Neh. 8.8 as meaning the correct pauses, "pesuk te'amim," was later understood to mean "accents" and finally, the cantillation of Scripture, the major use of these accents. Dr. Werner points out that "The Bible makes no positive mention of any cantillation".²¹

The locus classicus of the passages referring to cantillation is Meg. 32a.²²

אמר יואב בן נחמן כל הקורא קטן גדול
ואם קטן קטן וזוהי עשיית הכתוב אמר
ואם אמר נחמן כל הקורא קטן גדול

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20. See the discussion of Ned 37b above.

21. Werner, Eric, The Sacred Bridge, New York, 1959, p. 110. Also see Ezra 3.11 which offers no possibility of a positive interpretation as cantillation.

Jochanan said, "all who read (the Torah) without melody (cantillation) and repeat (learn) it without song bring upon themselves the verse (Ezek. 20.25), 'Wherefore I gave them also statutes that were not good' ". By the time of Jochanan, about 250-275, the tradition of chanting Scripture must have been well established in order to allow him the freedom to make this harsh and abusive statement concerning those "who read Scripture without melody", without chanting it - reciting it with musical intonation. Dr. Werner believes the chanting of Scripture was instituted well before the Christian era.²³ That this must have occurred early, for important if not necessary reasons, is confirmed by other passages that give us the Talmudic attitude concerning the power and function of music.

Bar. 6a gives a Baraitha which states that only prayers offered in the "Bes Hac'nesset" are heard because *בין שירת* *בין שירת* *בין שירת*, "(Only) in a place of song is there (genuine) prayer", that is in the synogogue where the prayers were chanted. The synogogue was considered "the place of song."

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22. Cf. Masechet Sophrim, 3.1

23. Werner, Bridge, p. 108

24. For articles on the philosophy of the powers of music, the "ethos" doctrine of music, see Werner, Eric, and Sonne, Isaiah, "The Philosophy and Theory of Music In Judeo-Arabic Literature" HUCA, Vol. 16, Cincinnati, 1941, p. 251-319. Also Werner, Eric, "The Origin of the Eight Modes of Music, HUCA", Vol. 21, 1948 p. 211-255. Also see Saadia Gaon, The Book of Beliefs and Opinions, translated by Samuel Rosenblatt, New Haven, 1948, p. 402.

The necessary qualifications for one who is privileged to lead the congregation in prayer are set forth in Ta'anit 16a. Not only must he be well accustomed to reading the Scriptures in public, well versed in the Talmud and all the B'rachot, but "he must possess knowledge of the melodies and have a pleasant voice"

וְיָדוּעַ הַמִּלֻּחִים וְיִשְׁמַע הַקוֹל

There is no doubt that this emphasis on the connection between music and prayer has to do with the peculiar powers associated with music²⁴ that enable it to strengthen all prayers, giving added power and force to their utterance so that God will indeed hear them. It also must refer to the problem of repeating the prayers without error, especially by the leader. An error in prayer was a serious matter; it even might result in a blasphemy. The situation was made considerably difficult by the scarcity of prayer books; usually possession during public prayer was limited to the leader, the "ba'al t'filoh". The method by which proper retention of the prayers was heightened was by means of a melody. Music served as a mnemonic device, assisting in the memorizing and retention of prayers.²⁵

This mnemonic function of music applied also to the learning, retention, teaching and public reading of Scripture. In San. 99b the rabbis are discussing the severe consequences of

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25. See Mishnah Berochot, par. 5, for the problem of error in prayer.

forgetting what one has learned previously. Rabbi Akiba offers the solution for forgetfulness,²⁶ *יום קבל יום קבל* "Sing (chant) it every day" -- that is, constantly. As the public reading from the Torah was and is performed from scrolls that are without punctuation and accent marks, the chant serves as the aid for proper preparation and rendition.

Exodus Rabah 47.5 contains a dispute about which of two procedures produces a better teacher. Should he study day and night or get a good night's sleep so he can be alert all day. Rabbi Jochanan prefers the latter method but he is forced to admit, " *אין שירה* ". "There is no music of the Torah but during the night". This can be understood only as a hyperbolic statement, emphasizing the importance of studying Torah with the aid of music.

Erub. 60a, sharply points this up when during a halachic discussion Abaye asks Joseph whether he holds a certain opinion because it is a *אמרה או דברא* , "a positive tradition or merely speculative inference." The final statement is *למדה בלילה* , "learn a positive tradition by heart, let it be like song, " a song, that is, which by its nature cannot be forgotten or lost so easily. A person who learns words that are fitted to a melody is not likely to forget them. The essence of this statement, coming as it does in the

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26. Tosefta Para 4.7, *אמר קרוב*
Cf. Ohal. 16.8.

midst of a discussion concerning the question of positive tradition and mere inference, is that tradition, which eventually assumes the authority of law, must be perpetuated; it must be taught to generation after generation. What is the best means of teaching? By means of music, of course. We can easily understand why both Torah and Talmud²⁷ were learned by means of a chant.

An argumentum ex silentio is found in Luke 4.16 which relates that during a Sabbath service in Nazareth, Jesus was called to the Torah and afterward read from the prophet Isaiah. Yet the writer of this gospel did not feel compelled to make any mention of the manner in which it was done, by chanting or otherwise. Likewise, Acts 13.15 tells of Paul's visit to the synagogue in Antioch and mentions the reading of the Torah and the Prophets without noting the method of rendition which was used.

The Church Father Justin²⁸ describes the service of the early church, that "the memoirs of the apostles or the writings of the Prophets are read". He too fails to mention the method of rendition. Clement of Alexandria (end of 2nd century) speaks of cantillation in clear terms.^{28a}

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27. See article on "Cantillation" in the Jewish Encyclopedia, Vol. III, p. 548

28. Writings of Saint Justin Martyr, The Second Apology, translated by Falls, Thomas B., New York, 1948.

28a. Cf. Werner, Bridge, p. 112 f.

Music must have played a very important role in the early church. Paul in his epistle to the Ephesians admonishes them (5.18-19), "Be filled with the Spirit, speaking to yourselves in psalms and hymns and spiritual songs, singing and making melody in your heart to the Lord." Colossians 3.16 connects music with teaching, a probable reference to the chant of the Scripture lesson of the week which was read during the service. "Let the word of Christ dwell in you richly in all wisdom; teaching and admonishing one another in psalms and hymns and spiritual songs singing with grace in your hearts to the Lord."

In the light of this very forceful emphasis on the power of music for prayer and teaching, the "loud" silence mentioned above must be taken as evidence of the strength of the tradition of chanting the Scripture by this time. Moreover, the etymology of the term "trop", from the Greek "tropos", indicates quite clearly the crystallization of the custom of chanting Scripture during the Hellenistic era, when Greek words were freely absorbed in the rabbinic vocabulary.

CHAPTER III

Having shown that the tradition of chanting Scripture is very old, that it was well established by the early Christian centuries, the important question of how this cantillation was transmitted remains unanswered. We have pointed out that all Talmudic references to cantillation and "te'amim" are distinctly separated, and that accents are not known before the late sixth century. This leaves a gap of at least six centuries, probably more, to explain.

The gap is bridged by the practice of "cheironomy", the use of the arm, hands and fingers to indicate the course of a melody. The ancient pictorial references to this practice are abundant. Many Egyptian bas reliefs and other early representations have been found that picture a group of musicians facing a leader whose right arm is raised in the characteristic position of "Cheironomy"²⁹. One of the most famous of these is "The Victory Banquet of Ashurbanipal," King of Assyria 699-633 B.C.E.³⁰

Ber. 62a contains a discussion of the uses and abuses of the right hand. Rabbi Akiba (40-135 C.E.) says that the right hand must remain clean and unblemished

יְמִינִי טָהוֹר וְשֵׁנִי טָהוֹר
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29. Sachs, Curt, The Rise of Music In the Ancient East and West, New York, 1943, fig. 26 and p. 65. "The right arms are even more fascinating: the singers communicate with their accompanists by stretching out their right forearms and performing a few stereotyped gestures." p. 78

30. Finegan, J., Light From the Ancient Past, London, 1946, fig. 81, p. 180-181

"because he shows the sense of the Torah with it." This is an allusion to the method of transmitting the traditional cantillation and syntax of the Bible. It is done by means of the right hand, cheironomy traditionally being shown by the right arm³¹.

The reader of Torah would render the portion by means of the cantillation which "gave the sense" of the reading by providing the proper pauses. The punctuation was given orally by this means and was accompanied visually by the gestures of the reader's right hand indicating the specific trop he was using for given words.

Extremely fascinating is the long history of references to cheironomy in Jewish literature. The Dikduke ha-te'-anim³² of Ben Asher (950) gives a description of the hand and fingers being used to indicate manually the location of various signs and their accompanying melodies.

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31. A Cohen in his translation, The Babylonian Talmud, Tractate Berakot, Cambridge 1921, p. 409, gives the translation as, "Because he points to the accents of the Torah with it." This reading is incorrect for two reasons. First, in the time of Rabbi Akiba there were no "accents" written in texts. Then, had there been "accents" they would not have been written in a Torah scroll for use by a public reader. This has always been forbidden as we shall show below. Also see the translation contained in the Soncino edition of the Talmud.

32. Ben Asher, Aaron ben Moses, Dikduke ha-Te-amim, edited by L. Baer and H. L. Strack, Leipsic, 1879, p. 18.

ק'ז וקצד נכח נהו"ז ומהו"ח
 קצד קצד קצד קצד קצד קצד
 וקצד קצד קצד קצד קצד קצד

"With the hand and the finger the music was led. (It is indicated) by the hand being raised and shaking the third and fourth fingers . .with the first and middle fingers."

Rashi, (d.1105) commenting on Ber. 62a, says

מול'ז יצו לפי קצד נהו"ז
 רא"י קקורא'ק נקא'ק מהו"ח ישרא'ל

"He forms (figures in the air) with his hand in order to (indicate) the flow of the melody. I have seen this (practiced) by readers who came from Israel."

Somewhat astonishing is a modern discovery of cheironomy. Jacob Saphirin in his travels throughout the Near East during the mid-nineteenth century observed cheironomy being practiced in Yemen, by the Jewish population which long had been devoid of active intercourse with the changing centers of Judaism. In the log of his travels, Ebben Sappir,³³ he writes

נהלמ'ז'ק כשהלמ'ז'ק הנהלמ'ז'ק סמ'י
 נהלמ'ז'ק קהמ'ז'ק קהמ'ז'ק קהמ'ז'ק
 קהמ'ז'ק קהמ'ז'ק קהמ'ז'ק קהמ'ז'ק
 קהמ'ז'ק קהמ'ז'ק קהמ'ז'ק קהמ'ז'ק

33. Saphir, Jacob, Ebben Sappir, Lyck, 1866, p. 56b. Also see the comments on this passage in Derenbourg, J. Manuel du Lecteur, Paris, 1921, p. 204. For the connection between the motions of cheironomy and the early written signs see p. 416. Also see Werner, "Preliminary Notes", p. 337-340.

"When the teachers taught the children the signs of the 'te-amin' while leading them in the singing, they showed them by use of the hand and fingers stretched out in front or behind They instructed them with these hints (visual) and the voice of the instructor was not heard."

CHAPTER IV

The eventual union of the ancient cantillation and the more recently developed system of massoretic accents came about during the period of the Geonim. The first written reference that gives evidence of this having taken place is an "igeret," a written responsum by the Gaon Natronai II of Sura (853-856) which is found in Mahzor Vitry.³⁴

The Mahzor Vitry is a compilation by Simha b. Samuel (c.1105) of Vitry, France, a disciple of Rashi, of the texts and related halachic decisions of the Talmud and Geonim concerning the prayers and rituals of the annual cycle. Many earlier piyyutim are included and this Mahzor eventually became the basis of the Ashkenazic ritual. It was discovered by Samuel David Luzzatto³⁵ and published by the Mekitze Mirdamim³⁶.

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34. Machzor Vitry Nach Der Oxforder Handschrift, edited by A. Berliner, Berlin, 1889, p. 91
35. See his letter in Kerem Chemed, Vol. III p. 200.
36. "Mahzor Vitry", article in Universal Jewish Encyclopedia, Vol. 7, p. 289.
Idelsohn, A. Z., Jewish Liturgy And Its Development, New York, 1932, p. 601
Elbogen, Ismar, Der Jüdische Gottesdienst in seiner Geschichtlichen Entwicklung, Leipzig, 1913, p. 362-3

Natronai's text is as follows:

קק

ושאלתם אק אסור לנקוז ספר מורה,
ספר מורה שנימן למשה קסיני לא שמענו
קו ניקוז. ולא נימן ניקוז קסיני כי
המכמיק פ"ו ויהו לסימן ואסור לעו לעוסים
מצעמנו. בן נעקור קלס מוסים.

לפיכך אין נוקצין ספר מורה,
ואם על פי שנימן פסוקי שמעיק
וה'לות הקכ"ה מסיני קמסורת
כצכמיק (נח"ה) ושוק שכל וקומה
על פה ואחרו ולא קסימני נקיצה קספר

Translation:

"Regarding the question of whether it is forbidden to point^a a Torah scroll.^b

We have not heard^c that the Torah scroll which was given to Moses on Sinai had points marked in it.

(The reason we know that) the vowels^d were not given on Sinai is because the sages^e marked the pointing (gave the vowels authority) and it is forbidden for us to exceed our authority lest we transgress (The Biblical injunction) "Thou shalt not add".^f Therefore a Torah scroll may not be pointed (with vowels).

Although the (Massoretic) accents^g and the tropes^h of the Torah were given from Sinaiⁱ in the tradition,^j as it is written in Neh. 8.8 (*See p1e1-*
the former are the divisions into sentences, *קצנ? 12'21-*
the latter are the Massoretic accents)^k they were given orally, therefore we are not permitted to mark them^l in a scroll (for public reading.)"

Explanation and interpretation of text:

- a. "To mark with points or punctuate." According to the answer that follows it is evident that two possibilities of marking the text are implied: One is with the vowels of Hebrew, the "nikud". The other is with the Massoretic accents that indicate the cantillation and punctuation.
- b. A scroll for public reading is meant. The scroll used for the Scriptural reading during the service is, till this day, consonantal, without vowels and accents. Most probably the reader from the very earliest times had his own marked text to aid in his preparation. When the accents and vowels came into being they were written into these private pericopes.
- c. According to tradition, the Law given to Moses on Mt. Sinai consisted of the "Torah Shebich'tav", the written Law, and the "Torah Sheb'aleph", the oral Law. Both are authoritative and binding. One way of recognizing the latter is by means of tradition. A rubric often used to indicate such a tradition is "Kach shamati, so I have heard (from so and so)". When Hillel could not convince the

"Bene Bathyra" of a point of law he finally said that he had heard it (learned it) from Shamaya and Abtalion. Upon hearing this they not only accepted the law but appointed Hillel to the post of Nasi (Yer. Pes. VI 33a)³⁷

Natronai denies the existence of an authoritative tradition concerning the written vowels. More will be said concerning this point below (see e.)

- d. We have shown in (a) above the two possible readings for the word "nikud"; the final determination in any given case must be according to the context.

After careful investigation and many attempts at other possibilities, the only clear reading of the "p'shat" of the text requires a division into two paragraphs, the first dealing with the question of marking vowels in a scroll, the second dealing with the question of marking the Massoretic accents in a scroll. Though the answer is the same in both cases - it is forbidden - the reasons given are different and the first precludes the second.

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37. Lauterbach, Jacob, "Oral Law", Jewish Encyclopedia, Vol. IX, p. 423-26

The statement 'לא ניקד' is made
 near the beginning of the responsum. Farther along
 this statement - ואע"פ שנתנו פסוקי טעמים
 ואלו הן הקד"א משה
 Since any particular law cannot at the same time be
 given at Sinai and not be given at Sinai, and since
 the expression "nikud" has two possible meanings,
 "vowels" or "accents" and we are explicitly told
 that accents were given at Sinai, the former state-
 ment must refer to vowels.

In other words, the vowels may not be written, as
 they were not part of the original revelation and
 so doing would constitute an "addition". The
 accents may not be written because they are "Torah
 sheb'aleph", oral law.

- e. According to the responsum the reason we know that
 the vowels were not given on Mt. Sinai is because
 it is known that the "chachamim" were the ones re-
 sponsible. (See i. below.) Who are these "chachamim"
 who appointed the proper vowels?

According to Graetz³⁸ the "chachamim" here must be
 understood in contradistinction to "sophrim" or
 "rabbotenu" who are men with religious authority.

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38. Graetz, H., Divre Yeme Yisroel, Warsaw, 1913, Vol. 3,
 p. 487, translated from the German by Rabinowitz, S. P.

If Kahle is correct in his assumptions concerning the state of pronunciation of Hebrew at the time the Massoretes began their work, then there would have been good reason for the Geonim to reflect a somewhat severe attitude towards the vowels. According to Kahle, the Massoretes regarded the pronunciation of Hebrew as "lax and inaccurate".⁴⁰ Early Massoretic manuscripts show a variety of pronunciations whereas later manuscripts evidence the unifying result of the Massoretes.⁴¹ Natronai, living while this unification was still in process, would then be expected to be somewhat cautious concerning the authority of a multiplicity of vowels, resulting in many variae lectiones.

Because of this disunity of vowels the accents may have enjoyed a position of greater authority; Kahle tells us of Biblical manuscripts provided with Palestinian punctuation that contain the markings of an accent, yet some palimpsests containing fragments of "Pesikta de Rab Kahana" are provided with these vowel points but lack the accent marks.⁴² This suggests that the accents were reserved for use in the Bible exclusively at that time.

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40. Kahle, Geniza, pp. 86 and 108-110

41. Ibid, p. 54

42. Ibid, p. 51 and footnote 3.

Dr. Samuel Atlas most kindly offered another interpretation of this problem. In examining the text of Natronai he does not favor the sharp cleavage between "vowels" and "accents"; In his opinion, this distinction is not necessary for a clear translation of the text. According to his view "nikud" (d. above) should be read as "points", that is, any marks in the scroll other than the consonants. The sentence would then read, "(The reason we know that) the points (vowels and accents) were not given (in writing) on Sinai"

In other words, the vowels and accents were not written in the scroll that was given on Sinai but both have equal authority having been given orally. The vowels are a most necessary part of the tradition, neither may be written into the Torah scroll for it must remain as it was given in the written form. 175

Additional proof of the attitude of the Geonim towards the intrusion of extraneous points into the text is found in a responsum of Hai Gaon. 43

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43. Hurvits, Chaim Meir Joseph Halevi, Turtan Shel Rishonim, Frankfurt, 1881, p. 40

Is it permissible to read in public from a Torah Scroll that is pointed? . . . And if a Cohen, Levi and Yisroel had read from it (before they discovered that the Scroll was marked) . . . are they to be counted in the seven (called to the reading of the Torah)? And if it is forbidden to do so what is the reason?

A Baraita of the Sophrim⁴⁴ answers the question as follows: "A Torah Scroll that is pointed may not be read in public even though the marks have been erased". And if some have already read from it then we must begin the reading anew with others.

The reason for this is that the Torah Scroll Moses wrote for Israel did not have points in it. (Also) take especial note of the fact that (sometimes) what is read is different from what is written Nothing is to be written but the "Massorot" (the traditional text); the Mikra (the correct reading) is not written.

Dr. Atlas concurred on the change of two consonants in the responsum of Hai and the Baraita. In order to produce a sensible reading "gorer" must be read "gored", "erase" (see above). The Aruch Completum of Jechiel offers ample support for this substitution.

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44. Masechet Sofrim, edited by Higger, Michael, New York 1937, p. 376
Cf. Masechet Sefer Torah in Sheva Masechtot K'tanot Yerushalame'ot, edited by Raphael Kirchheim, Perek 3, Semon 4.

"Echod" must be read "acher" which agrees with the usage of the same word in a succeeding sentence. A scribe must have had a propensity for confusing "resh" and "daled".

This is an allusion to the system of "K're-k'tiv" incorporated in the Massoretic text of the Torah.

There are instances when something other than what is written (the K'tiv) is read (the K're).⁴⁵ If, says

Hai, we do not change the text even in those cases

where what we read is entirely different from what

is written (he gives as an example *לְהַחֲיוֹת הַמֵּתִים* *לְהַחֲיוֹת הַמֵּתִים*)

לְהַחֲיוֹת הַמֵּתִים), certainly we do not dare

to write the vowels into the consonantal text. Nothing,

he concludes, is to be written but the traditional

text.

- f. "Thou shalt not add to it nor diminish from it (the Torah)", D. 13.1 Since the vowels were not given on Sinai as part of the Torah, they cannot be written in

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⁴⁵. Ginsburg, Christian D., Introduction To The Massoretic-Critical Edition of the Hebrew Bible, London, 1897, pp. 182-6, 309-18.

now or it would constitute a transgression of the Biblical injunction "B'al Tosif".⁴⁶

- g. In this case, contrary to the interpretations of "p'suke t'amim" given above for all its occurrences in Talmudic passages, it means "the Massoretic accents" because textually it is directly contiguous with and thereby connected with the reference to musical chant, the trop, which it indicates. From external evidence we know of the existence of both an Eastern and Western Massorah at this time.
- h. The specific trop or melody of cantillation indicated by each accent.⁴⁷
- i. According to Lauterbach⁴⁸ and Meilziner⁴⁹ the term "misinai" indicates traditions that were clearly

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46. See article on "B'al Tosif" in the Encyclopedia Talmudit, Jerusalem, 1951, Vol. 3, p. 626
47. See Rosowsky, Solomon, The Cantillation of the Bible, The Five Books of Moses, New York, 1957.
Idelsohn, A. Z., Jewish Music in Its Historical Development, New York, 1929, pp. 35-71; also A. Ackermann, Die Hermeneutische Bedeutung In Biblischen Akzente und der Kantillation, Berlin 1896.
48. Lauterbach, Jacob "Sinaitic Commandments", Jewish Encyclopedia, Vol. 11, p. 383
49. Meilziner, M. Introduction To The Talmud, Second Revised Edition, New York, 1903, p. 123. "There are some legal traditions of an ancient date mostly concerning the ritual law, for which the Rabbis were unable to find a Biblical support or even a mere hint. They were termed 'halacha l'Moshe mesinai', traditional laws handed down from Moses on Sinai'. That this phrase is not to be taken literally, but often as merely intended to designate a very old tradition the origin of which cannot be traced, is evident from Mishna Eduyoth 8.7."

established and recognized and whose origins were somewhere in the indefinite past. They were given the status of "oral law", believed to have been given orally to Moses on Sinai but not being rediscovered and put into practice until a later time. This is why Natronai can say that the cantillation and accents are "from Sinai" yet he can attribute the introduction of cantillation to Ezra and Nehemia as did all those who wrote on the subject before the time of Elias Levita.⁵⁰ Natronai specifically mentions that they were given orally; therefore, though they possess the greatest of authority, they must not be written into the Torah Scroll. They must remain oral. (See c. above)

- j. Massorah⁵¹ the traditional text of the Bible with the aids for its proper reading and preservation: the vowels, accents and external notes. In this case the tradition is meant (See k. below)
- k. Natronai was interpreting Neh. 8.8 according to Ned. 37b and reading "p'suke t'amim" as "Massoretic accents" because in his time he could not conceive of an alternative interpretation as then the Massoretic accents⁵² were already in existence.

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50. Elijah Ben Asher The Levite - Elias Levita, Masoret Hamasoret, Basel, 1509.
51. Ginsburg, C. op. cit.
Harris, I., The Rise and Development of the Massorah, The Jewish Quarterly Review, Vol. 1 (Old Series), 1889.
52. See Above p. 8.

1. Here "nikud" must mean accents as its antecedent is "p'suke t'amim" (g) above.

Conclusions:

We may conclude that this is the first preserved reference linking the cantillation of the Torah with the Massoretic accents, and which understands these accents as tools used to indicate the ancient cantillation, preserved and transmitted orally and visually for so many centuries. Though both were given the same "halachic" status of being "misinai", the accents were not to be written into the Scroll for public reading; they must remain "Torah sheb'aleph."

This consolidation of separate entities, a weaving of diverse strands, raises the question, "under what historical circumstances did this fusion take place?" A brief look at the relevant aspects of the fascinating history of the Geonic times will provide a preliminary answer.

CHAPTER V

The Jewish community in Babylonia was lead politically by the Exilarch and in the religious-legal sphere by the Geonim, the "roshe yeshibah" of the schools at Sura and Pumbeditha⁵³. The Exilarch represented the Babylonian Jewish community at the court of the Caliph and was responsible for the collection of taxes from his constituents. He shared the judicial power with the contemporary Gaon. His mode of life was royal and in all respects he was treated as a prince in exile. The office of Exilarch was hereditary until the Geonim succeeded in preventing Anan, the Karaite, from assuming the title (762). Having accomplished this they retained control over the appointment to the position of Exilarch and managed on several occasions to depose and even banish the Exilarch.

The Geonim were elected by the schools and had as their primary function the determination of the administrative and religious policy of the academies. Their task was to interpret the Talmud, completed by the Amoraim and edited by the Saboraim, and to render religio-legal decisions as a result of their interpretations. The academies were organized along the traditional lines of a "great and small sanhedrin," the Gaon serving as supreme judge. Therefore, he was responsible for evolving new

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53. Natan Ha-Babli, Medieval Jewish Chronicles And Chronological Notes, edited by Neubauer, Oxford, 1895, Vol. 2, p. 78-88

laws and regulations from the Talmud, applying them to current cases, administering the decisions, and meting out punishment to transgressors.

During the two "kallah" months, Adar and Elul, the students in residence were joined by others to discuss the Talmudic tractate assigned by the Gaon for the preceeding months. Every day during Adar the Gaon discussed with those assembled the various questions that had been received from all parts of the Diaspora; these discussions resulted in the Gaon directing responsa to these communities in the form of a written message. Questions brought from nearby communities were answered orally by the Gaon, the local scholars attending the Kallah bearing the decision with them on their return home.

The greatest part of the scanty knowledge concerning this period is derived from these written responsa. The "guide" through the 450 years between the time of the first Gaon, Mar Rab Hanan (589), and the last, Hai (d.1038), is the "Letter of Sherira" which gives the history of the academies.⁵⁴

The extent and scope of the area covered by Geonic responsa gives us a clear picture of the dependence

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54. Eckstein, A., and Bacher, W., "Gaon", Jewish Encyclopedia, Vol. 5, p. 567-71.
Graetz, H., History of the Jews, Philadelphia, 1894, Vol. 3, p. 86-265.

for religious leadership of Diaspora Jewry on the academies of Babylonia. This relationship between each Jewish community of the Diaspora and the two academies of Babylonia had the effect of uniting the scattered Jewish people around a common center of leadership. "There converged on Sura and Pumbedita, as it were, connecting links from all the various communities, which transmitted on the one hand instruction and spiritual guidance from both these centers of Jewish learning, and recording, on the other hand, the conditions of Jewry in the countries of its dispersion".⁵⁵ The analogy is of a wheel, with Babylonia being the hub, the distant communities making up the rim, the connecting spokes, -- the responsa.

There is no doubt but that this union was made possible by the spread of Islam across North Africa during the 7th century and into Spain, 711. The far flung Jewish communities found themselves in a great empire across which travel, trade and communication between brethren was only natural.

The solidarity of the Jewish community throughout the empire was in no small measure a result of the expansion of trade among the communities of the Muslim Empire, a trade carried on to a great extent by Jews. It was

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55. Mann, Jacob, "The Responsa of the Babylonian Geonim As a Source of Jewish History," "The Jewish Quarterly Review, New Series, Vols. 7-10, 1917-19"

possible for caravans to travel from India to Spain without leaving the one great empire. Moreover, the greater part of the coastline of the Southern Mediterranean was in Arab hands. Trade was facilitated further by the prohibition against imposing customs on goods passing between the provinces. Many responsa deal with problems of trade and travel, especially between North Africa and Spain, a route of brisk commerce entered into by Jews.

The very existence of many Jewish communities throughout the Muslim Empire during Gaonic times would not be known to us except for their being mentioned in the responsa, of the Geonim whose influence stretched from Babylonia, south around the Mediterranean, through Spain and even to France and Germany.

The main center of Jewish life was Irak (Babylon), with large numbers of Jews living in the areas of the schools, the capital and other cities. The Jews in Palestine⁵⁶ were subordinated to those in Babylonia, sending to the Babylonian academies requests for advice which often were accompanied by monetary contributions, a key means of support for these institutions. The most frequent intercourse was with the North African community (as well as with Spain) which had centers in Fustat, Cairo, Fayum - home of Saadia -- Alexandria and other cities in Egypt; in the part of Africa now called Tunisia, Algeria and Morocco,

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56. In responsa to communities in Palestine, the Geonim address the people as though they were the ones in diaspora.

the important Jewish communities were at Kairowan, Cebes, Fez, and Nefusa.

With the landing of the Arabs in Spain and their ensuing victory at the battle of Xeres the Jews of that area were freed from their lowly position under the Goths and were enabled to establish a close relationship with Babylonia, a tie that existed until Spain achieved a measure of religious independence about the mid tenth century. Concerning correspondence between Babylonia and communities of other countries such as France, Italy and Germany, little is known although a Genizah fragment shows that Sherira and Hai corresponded with Rabbi Meshullam b. Kalonymos of Lucca, Italy.

The internal Jewish life of this period was marked by the acceptance throughout the Jewish world of the Talmud as the basis for religio-legal decisions; The Geonim, through their exposition, in addition to assuring this acceptance for many centuries to follow, provided the basic aid for comprehending and interpreting the Talmudic text. This feat was not accomplished without overcoming many turbulent counter-forces, the most notable being the Karaite movement.

Upon the death of the Exilarch Solomon (761-2) the Geonim succeeded in preventing Anan ben David, the rightful heir, from assuming the office because they suspected him of harboring anti-Talmudic tendencies. Having

many loyal followers he was proclaimed counter-Exilarch but had to flee to Jerusalem, indeed being fortunate to escape with his life!

His movement was called Karaism, "The Religion of the Text", because of its major premise -- that the interpretations of the Bible in the Talmud were corrupt and a return to Scripture as the sole source of religio-legal guidance was necessary. This brought about an increased devotion to the study of the text of the Bible.

It should be obvious, though, that a mere searching of the many passages of the Bible would not suffice to render clear decisions for the pressing religio-legal cases of the day. In other words, the interpretation of Karaism as being nothing more than a return to the unembellished purity of the Bible is rather naive. What Anan and his followers desired to do was to substitute their interpretation of the text for the Talmudic. Interpretation is a necessity whether it be Talmudic, Karaitic, Christological and Gnostic, etc. A principle dogma of Karaism was individual freedom of exegesis of the Bible. (Parenthetically speaking, some parallels of the Karaite stand may be seen in the attitude of the early Reform with its insistence "Ad fontes"!)

The particular interpretation of the text, then, became the crucial issue and therefore it is not strange

to find during this period of great controversy the final codification of the Massorah by Aaron b. Moses Ben Asher, the descendant of six generations of Tiberian Massorites. His rendition of the text has since become standard for the Hebrew Bible.⁵⁷

It must be understood clearly that inherent in the Massorah itself is interpretation of the meaning of the text (as in any translation)⁵⁸ as well as the determination of what interpretations would or would not be admissible in the future on the basis of this rendering of the text. As the Talmud must deal with its religious legal problems on the basis of the text of Scripture, the Massorah deals with this text itself. In this light the Massorah can be understood as legitimately succeeding the work of the Tanaim in the monumental attempt at refurbishing the totality of Jewish tradition. It stands side by side with the work of the Geonim. The basic model for both -- the Bible.

This trend to fix the tradition on the scholarly level of textual interpretation was only part of a more general trend to fix the tradition at all levels. The "party lines" had to be drawn clearly; there could be

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57. Levias, Casper, "Aaron ben Moses Ben Asher", J. E., Vol. I, p. 18.
Cf. Kahle, Geniza, p. 55f.

58. During the installation of the Exilarch, the Gaon, himself rendered the "targum". See "Natan Ha-Babli", Op.Cit. p. 78

no room for doubt as to the affiliation of a Jew with either the Rabbanites or the Karaites. Thus we find Natronai giving a brief arrangement of the daily blessings in answer to a request from Lucena, Spain. Amram, his successor, compiled the first complete order of prayers for use by the communities of Spain.

The most notable proponent of this trend was Jehudai, the blind Gaon of Sura, 760-64. His "Halachot Pesukot" formed the basis for many succeeding compilations of halachot, notably the "Halachot Gedolot" compiled from his responsa by his disciples. As many of his responsa dealt with questions of the order of prayer, it was only natural for Amram to borrow largely from these halachot for his "Siddur". Jehudai's attempt to order the various laws and make them readily accessible did not meet with approval from all quarters. Paltai, Gaon of Pumbedita (842-58) censured his work because of its extreme nature.⁵⁹

During these decisive times the only whip available for use by the Bet-Din to force adherence to the Rabbinic tradition was the ban, "cherem". The Geonim tried to make it as effective as possible.

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59. Schloessinger, Max, "Yehudai Gaon", Jewish Encyclopedia Vol. 10, pp. 590-1.
Cf. Ginzberg, Louis, Geonica, New York, 1909 Vol. I, p. 47.
Also see pp. 95-108 regarding the question of the authorship of "Halachot Gedolot".

The cherem, the most severe form of ban, not only forbade other Jews from keeping company with the banned, but virtually cut him off from the Jewish community, declaring his food to be as that of the non-Jew and denying religious instruction for his children. No one was allowed to circumcise his son or assist in the burial of any member of his family.

The high incidence of use of the ban by the Geonim is mute testimony to the heat of the struggle being waged by the opposing forces. In a humane apology, Mann tries to defend the excessive use of this harsh punishment by the Geonim. "It must be admitted that the ban was a little too freely made use of, especially in the case of small transgressions in religious matters (to a great extent due to the opposition against the Karaites)".⁶⁰

This state of internecine struggle was intensified by the conflicts centering around the appointments to the major offices of Gaon and Exilarch that followed the successful dispossession of Anan. Soon thereafter the Exilarch Natronai was removed and banished by the Gaonim Malka bar Acha and Cohaninai bar Acha. Nathan the Babylonian⁶¹ describes the plight of the Exilarch

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60. Mann, "Responsa of the Geonim", Vol. 10, p. 336.
His parenthesis.

61. "Natan", Op. cit., p. 78

Mar-Ukba who was banished through the efforts of Kohen-Zedek, Gaon of Pumbedita; his attempts to elevate the office of the Gaon of Pumbedita at the expense of the Gaon of Sura and the Exilarch most certainly weakened the structure of the Babylonian Jewish leadership. The other side of the coin is visible in the removal of Saadiah by the Exilarch David ben Zaccai.

Weakened internally, the Jewish community suffered a loss of political esteem by the absence of Jewish representation at the Mohametan court. The Gaon Sherira and his son and the future Gaon, Hai, were deprived of their freedom by the Caliph though the decision was later rescinded. With the demise of Hai in 1038 the last remaining school in Babylonia had suffered its death stroke despite the fact that the Exilarch, Hezekiah, a descendant of David ben Zaccai, assumed the post of Gaon also. Within two years he was thrown into prison by the Sultan, robbed of his property and finally executed.⁶²

It might be considered characteristic of Jewish history that before one center collapses its successor had already stretched its wings in preparation for ascent. The migrations away from the Eastern center

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62. Graetz's remark on p. 253, Vol. 3, is very poignant. ". . . who acted at once as Gaon and Exilarch, it seems only in order to have the two offices buried together in the same grave with his person."

of Babylonia beginning during the eighth century had long since brought about the establishment of strong Jewish communities elsewhere. Samuel Ibn-Nagreli already was flourishing in Granada and Solomon Ibn-Gibirol had reached the age of thirteen years. The golden age of Spain was in its inception.

It was not so much the existence of Jewish communities elsewhere which undermined the supremacy of the Gaonate, for this was also the case during the very height of the Gaonate. Rather it was due to the rise of new schools that gradually moved from a state of dependence upon the Babylonian academies to independence. Long before the Babylonian schools were closed the fixed gifts from Spain, North Africa and Egypt had ceased to flow to Sura and Pumbedita.

The credibility of Ibn Daud's account about the four scholars notwithstanding,⁶³ the last half of the tenth century saw schools in Diaspora communities achieving status of their own because of that of their heads. Shemaria at Cairo, Chusiel at Kairwan, Nathan b. Isaac Kohen at Narbonne and Moses in Cordova. In comparison with Natronai's prolific correspondence with Spain, Sherira's and Hai's quantity of letters appears to be small for they received few requests.

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63. See Mann, "Responsa of the Babylonian Gaonim", J.Q.R., IX, 1 & 2, 1918, 165 ff.

Though there is disagreement concerning who brought the Kalonymus family to Germany,⁶⁴ they certainly had built their schools on German soil before the end of the tenth century.

No longer need the far flung communities turn to Babylonia for religious leadership. The common bond was broken -- the hub removed from the center of the wheel -- the spokes were disconnected. Unity was no more.

64. Berlin, Israel, "Kalonymus", Jewish Encyclopedia, Vol. VII, p. 424-6.

CHAPTER VI

On the basis of this general historical analysis we may conclude that the period of the Geonim marks the affirmation of the Talmud as the basis for practical decisions in questions of religious law. The literary and legal activity of the leaders of the Jewish community, the Geonim, consisted mainly in the giving of responsa to religio-legal questions. These responsa, specific answers to these questions, were based on the interpretations of the Talmud as evolved by the Geonim. As Louis Ginzberg expressed it, "They transformed a textbook into a code."⁶⁵

In reality these responsa were the beginnings of the later codes and their compilation as the "Halachot Gedolot" of Jehudai, was in fact the first book of Jewish code. "Rabbi Jehudai . . . was the first to put Halakic matter down in writing for general use, and it is from this point of view that he may and should be regarded as a pioneer."⁶⁶

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65. Ginzberg, Louis, Geonica I, the Geonim and Their Halakic Writings, New York, 1909, p. 73.

66. Ibid., p. 97

The importance of this trend was emphasized by the unity of the Jewish communities throughout the Moslem empire, all being dependent on the academies of Babylonia for guidance in these matters.

On the other hand, although, "The internal history of the Jews of that period is characterized by the spread and the general acceptance of Rabbinic Judaism as embodied in the Babylonian Talmud," it also is marked, according to Jacob Mann, "by the opposition it was subjected to on the part of the sectarians in Israel, especially the Karaites."⁶⁷ Louis Ginzberg speaks of the opposition to the establishment of this authority and calls it a period of "great religious and intellectual upheaval."⁶⁸

It may be fit to investigate briefly the tenor and basis of this Karaite opposition.

Ginzberg cautions "that the opposition to authority often means only desire for change of authority."⁶⁹ As stated above, on the surface it assumed the form of

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67. Mann, Jacob, "Responsa," Vol. 7, No. 4, p. 458.

68. Ginzberg, Louis, Genizah Studies in Memory of Doctor Solomon Schechter, II Geonic and Early Karaite Literature, New York, 1929, Preface XIV.

69. Ibid Preface XIV

denying the oral tradition and demanding a return to the "pure" basis of all Judaism, the Bible. Yet the writers on the Karaites and Karaism agree unanimously that "In point of fact, however, Anan adopted all the methods of the Talmudists, who were likewise at pains to base their oral teachings, i.e., tradition, upon the written word (Bible), and he made extensive use of the thirteen canons of Rabbi Ishmael."⁷⁰ Under the guise of abrogating the authority of anything but the Written Law, meaning the oral law, they substituted their own oral tradition.

The classic passage expressing the antagonism of both sides is by Natronai in Siddur Rab Amram.⁷¹

"All who do so (i.e. modify the Passover liturgy) are heretics and scoffers for they deny the words of the sages and show disdain for the words of the Mishnah and Talmud . . . And the disciples of Anan, may his memory decay, the grandfather of Daniel⁷² who said to all who went astray

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70. Pozonanski, Samuel, "Karaites", Encyclopedia of Religion and Ethics, New York, 1928, Vol. VII, pp. 662-72, specif. p. 663.
Harkavy, Abraham de, "Karaites and Karaism", Jewish Encyclopedia, Vol. VII, pp. 438-46.
Nemoy, Leon, "Karaites", The Universal Jewish Encyclopedia, New York, 1928, Vol. VI, pp. 314-19
Karaite Anthology, Edited and Translated by Nemoy, Leon, New Haven, 1952, pp. 8-9.
71. Siddur Rab Amram, Edited by Frumkin, Jerusalem, 1912 II, pp. 206-7
72. For a discussion on the identity of Daniel see Mann, Jacob, Text and Studies on Jewish History and Literature, II, Karaitica, Philadelphia, 1935, pp. 129 ff.

because they were seduced to follow him, forsake the words of the Mishnah and Talmud and I will make for you a Talmud of my own.

And they persist in their error and have separated their people and established an evil and wicked Talmud of their own. My master Rabbi Eleazar Alluf has seen his 'Book of Abominations' which they call "Book of Precepts" that contains so many sinful statements. They have brought about their own separation in as much as they are not allowed to be with the household of Israel in the synagogue and they must remain set apart until they return to favor and acknowledge the traditions expounded by the two Yeshivot. (Until then) they are not fulfilling their religious obligations." (We may observe here the same intransigence toward Jews about which we have so frequently complained - Usually as a Christian fault!)

This vehement language of Natronai reflects the attitude of the Geonian as a result of the bitter struggle in which the opposing schools were locked.⁷³ It is well known that the Rabbanites emerged victorious but the effects of the struggle on the structure of Judaism that eventually emerged are too often overlooked. Yet Jacob Mann refers to these effects in the very first page of his masterly Preface to Karaitica,⁷⁴ thereby emphasizing their importance.

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73. In view of this vehement attack by Natronai encased as it is in such invectives, we cannot accept the opinion of Poznanski, Op. Cit., p. 663 that Natronai's need to rely on "hearsay" concerning Anan's book is indicative of the negligible effect of Karaism on the Babylonian community.

74. Mann, Jacob, Op. cit., Preface V-VI, Quoted also by Kahle in The Cairo Geniza, p. 56.

"Suffice it to say that this movement had a leavening influence on the development of Judaism in the Middle Ages, especially in the countries of Islam. Karaism cannot forsooth be regarded as a really liberal movement because, owing to certain of its doctrinaire aspects, it had a tendency towards legalistic stringency. And yet, by its very nature as a rebellion against the established form of Rabbinism, it allowed a good deal of freedom of thought and investigation. Well-known is the saying of the founder Anan: 'Search ye well in the Torah and do not rely on my opinion'. The controversial issues raised by this movement compelled the spokesmen of Rabbinic Judaism to pay more attention to the literal interpretation of the Bible as against the prevalent Halachic and Aggadic exegesis. The attack on the validity of the Oral Law necessitated a thorough examination of the accumulated mass of Rabbinic dicta and pronouncements . . . In brief, the sectarian movement of Karaism, coupled with the influence of the philosophies current in the larger Arabic environment, greatly stimulated the process of clarification of Judaism in the classical period of the Jewish Middle Ages. From the heat of controversy Rabbinic Judaism emerged purified and more acceptable to the educated intelligentsia."

That this struggle caused a return to investigating the very text of the Bible is evident; Kahle goes so far as to suggest that this heightened interest in the text of the Bible caused by the Karaites produced yet another result, the work of the Massorites.⁷⁵

The return to the text enforced the unification of diverse readings. The "house-cleaning" demanded of the Rabbinites in order to establish the authority of their interpretations had to begin by a "setting in order"

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75. Kahle, Genizah, p. 56

of the text upon which these interpretations were based. The Massorites attempted to safeguard the "correct" reading of the text and did so by the addition of the external notes, the vowel points and the accents. In so doing "they tried to fix every detail of pronunciation and cantillation of the holy text".⁷⁶

Given a uniform consonantal and voweled text, the imposing problem next to be tackled was punctuation, the syntax of the text. Here the Massorites naturally turned to the long existing tradition of the cantillation. As we have shown above, the cantillation was the ancient means of indicating, at least roughly, the proper pauses, the punctuation of Scripture. Its authority was not questioned owing to the antiquity of its origins. Yet the preciseness of rendition of something which by its very nature is oral and subject therefore to the readily apparent difficulties of uniform transmission, could no longer be entrusted to the method of cheironomy. A more exact form was required.

Just as the Massorites had provided the text with written vowel points representing the "vocalization", so they found it expedient to match the ancient cantillation with the more recent written accents. This proved to be a stroke struck with a double-edged sword, for

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76. Ibid, p. 84

the dual goal of fixing the Written Law and establishing the authority of the Oral Law was accomplished in this case by connecting the cantillation with the accents and deriving the authority of both "from Sinai".

This is the full meaning of the "igeret" of Natronai Gaon. With it he showed the strength and determination⁷⁷ of the Geonim to control both the well-spring, the source, and the stream of tradition that flows from it -- the Written Law and the Oral Law as interpreted by the rabbis -- in short; the stability no less than the continuous development of tradition.

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77. That this determination was not limited in expression to mere words is evidenced by the free use of the "cherem" during the Gaonic period as shown by Mann, p. 42 above.

CHAPTER VII

Having shown that the separate entities of the Massoretic accents and the cantillation of the Torah were officially joined by Natronai we turn now to the subsequent development of these devices united to preserve both the text and its rendition intact and free from error.

Rashi recognizes the authority of the accents in cases of questionable syntax. The difficulties of D.11.30 are resolved quickly: *אין מן ה'אין*, "the Biblical accents prove it (i.e., his interpretation)". Commenting on Ezek, 1.11 he admits, "if I didn't have the accent (to guide me) . . . I wouldn't know how to interpret (this verse) but (fortunately) the accent mark guides me . . ."78

In the section on cheironomy, Chapter III above, we pointed out that Rashi understands "te'amey Torah" in Ber. 62a to mean "the cantillation (indicated) by the Biblical accents," *אין מן ה'אין = אין מן ה'אין*. Further proof of his belief that they are one and the same is found in two separate Talmudic passages. Meg. 32a contains the word *אין מן ה'אין* in connection with the reading

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78. Cf. Rashi on Chag. 66
Also Ibn Ezra's famous statement, *Moznayin*, 4b "all interpretations that are not according to the interpretation of the accents have no authority and must not be followed"
On the other hand, we find Radak in his comment on Hosea 12.12, "In interpreting Scripture we are not always bound by the accents."

of the Torah. To Rashi this means, "Cantillation according to the Biblical accents," *למדו כפי חומשי השואות*.
Conversely, Ned. 37a speaks of teaching "pesuk te'amim" which to Rashi means, "That he taught vowels and accents".

It is evident that the Rabbis of the Middle Ages were unaware of the independent origins of the accents and vowels on one hand and the cantillation on the other, for their beliefs concerning the supposed joint creation of both are amazing. In general they were entirely ignorant of the relatively recent development of Massoretic accents. The Massorite Aaron Ben Moses Ben Asher, living in the early part of the 10th century, displays almost total ignorance of the 6th century introduction of Massoretic accents in an attempt to place their creation in an earlier period of much greater authority. After describing the existing accents in detail he writes glowingly of their invention by "the elders of the Sanhedrin, the prophets and princes of the exile to whom the interpretation of every word (of Scripture) was revealed."⁷⁹

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79. Ben Asher, Aaron ben Moses, Dikduke ha-Te-amim, edited by L. Baer and H. Strack, Leipsic, 1879, par. 16

Who are these prophets and princes of the exile?

His vagueness reflects the varied and confused views of Jews of his time concerning the origin of the accents. Believing that Hebrew was the original language of the world⁸⁰, it was not unnatural to postulate the giving of the accents and vowels to the time of creation or on Sinai but certainly no later than the time of Ezra (the prevalent theory) of the medieval Jews).

A classical presentation of the latter position is given by Profiat Duran, 1406, a philosopher, grammarian and writer of polemics, in his critical Hebrew grammar, "Ma'aseh Efod".⁸¹

"When Ezra the scribe became aware of the weakness and laxity of the men of his time in the matter of devotion to the Holy books, he thought that perhaps the basis for this condition lay in the difficulties involved in the mere reading of the books. Therefore he contrived to introduce the vowel points so that by their use the reading of these books should be easy for all men. Then he produced the accents in order to give sweetness to the reading so that the love for the reading would be placed in the hearts of the men as a result of the sweetness of song which the accents bestow."

The function of the accents is strictly musical in this conception of Profiat Duran; he connects them so

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80. The Kuzari of Judah Halevi, II 68

81. Isaac ben Moses ha-Levi- - - Profiat Duran, Ma'aseh Efod, Catalonia, 1406, edited by Friedlander and Kohn, Vienna, 1865, p. 40.

strongly with the cantillation that he fails to give even a hint of their use for purposes of indicating the punctuation, at least in so far as their origins are concerned.

This belief, that they were introduced by Ezra and the men of the "Great Sanhedrin," is shared by Rabbi David Kimchi; he concurs as well with the speculation concerning the raison d'etre of this invention - the poor state of general Hebrew knowledge after the first exile.

In the introduction to his commentary on the book of Joshua⁸² he states:

"It appears that these words (K're and K'tiv) are found this way because in the first exile some of the sacred books were lost, the sages were dispersed, and many experts in the Law died. Then the "Men of the Great Synagogue" who returned the Torah to its former state found discrepancies in the texts so they followed the majority according to their understanding but in the cases where there was no clear comprehension (of which variant to follow) they wrote one word but did not vocalize it or they wrote it in the margin."

Not breaking with this classical view of Ezra as the originator of the accents but presenting a unique interpretation of the accents was also Johann Reuchlin. In the third book of his De Accentibus Linguae Hebraicae (Hagenau, 1518), which he entitled Negina (chant, melody), presenting therein the Torah cantillation in musical notation, he gives the classification of "tonoi" he had

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82. In the Rabbinic Bible, Venetia, 1617

learned from his teacher Flavius Mithridates Romanus. Strangely, this systemization follows that of the Byzantine music theorists, even in regard to the terms. "As the "tonoi", chronoi, pneumata pathemata of the Greeks were used, so were they employed also in the mode of the Hebrews. For the Hebrews, too, classified the tonoi, i.e., the accents"⁸³

The break with the traditional theory finally was made by Elias Levita, the grammarian in 1538. In the third preface to his Masoret Hamasoret⁸⁴ he devotes fourteen pages to an extraordinary review and refutation of this theory, all of his arguments derived from the traditional texts themselves. He begins by stating that the majority of men has always believed that Massorah, vowels and accents, were the work of the Men of the Great Synagogue, particularly of Ezra, their leader. This erroneous belief was based on a mistaken interpretation of Ned. 37b⁸⁵. Then, in no uncertain terms, he

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83. Q. by Werner, Eric, "Two Obscure Sources of Reuchlin's De Accentibus Linguae Hebraicae", Historica Judaica vol. 16, 1934, p. 42
In a footnote Dr. Werner says, "This completely misunderstood theory of Hebrew accentuation was blindly taken over by Sebastian Munster and others . . . This old interpretation was, to my great amazement, reprinted and seriously presented by A.Z. Idelsohn, Jewish Music in its Historical Development (New York, 1929), p. 69-70, who paraphrased Reuchlin and Mithridates without mentioning either of them."
84. Elijah Ben Asher the Levite - Elias Levita, Masoret Hamasoret, Basel, 1539, edition Sulzbach, 1771.
85. Ibid, p. 6b
Also see p. 4 above

gives a preview of what is to follow. "They did not possess the accents that we have today because they were not yet created as I shall prove below."⁸⁶ He proceeds, in his own words, to wage war against this theory.

The first casualty is the belief that though Ezra reinstituted them, the vowels and accents were given on Sinai. "There is no doubt that the Torah Scroll which Moses placed before the children of Israel was a simple text, without vowel points and without accents."⁸⁷

As a matter of fact, "after applying myself to the question it became evident that the vowels and accents did not antedate Ezra nor were they of his time nor immediately after his time until after the redaction of the Talmud . . . for in all of the writings of our sages of blessed memory in the Talmud, the Aggadot and in the Midrashim there is not found even a hint concerning the vowels and accents . . . for if the vowels were given on Sinai and the texts were furnished with them, God forbid that they should have to say, 'don't read it thusly but thusly.' "⁸⁸

His substitute for the historical theory of his predecessors, that the knowledge of Hebrew waned during the

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86. Ibid, p. 7a

87. Ibid, p. 10a

88. Ibid, p. 10b

first exile, is his own theory that this decline did not begin until after the Second Exile, for before then even the children knew Hebrew fluently as the spoken tongue. "But from the time of the destruction of the second Temple onwards, the "lashon kodesh" steadily grew weaker until the time of the Massorites of Tiberias."⁸⁹

He concludes, "It was from the Massorites of Tiberias that we received all the punctuation."⁹⁰ The accents and vowels are post Talmudic in origin.

Levita's heretical attitude did not escape refutation from those who by temperament and out of deeply ingrained religious feelings viewed this thesis as an attack on the very foundations of their religious beliefs, the Bible and revelation. Levita's book was translated into Latin by his pupil, S. Munster, within a year of its publication and coming as it did in the midst of the numerous controversies of the Reformation it became a bone of contention to the warring parties. The most famous of the debates was that entered into by Cappelus and the Buxtorfs. Strangely, another Jewish "maskil", Azariah dei Rossi, took up the battle against Levita's thesis in his own heretical and later

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89. Ibid, p. 11a

90. Ibid, p. 11b

91. Levias, Casper, "Vocalization", Jewish Encyclopedia, Vol. 12, pp. 446-8

banned book, Me'or Enayim. It remained for S. D. Luzzato to take up Levita's defence in 1852.⁹¹

Johannes Buxtorf presents some interesting arguments for the ancient origins of the accents and vocalization in his answer to Cappellus. He has no trouble deriving authority for this from many earlier writers, none of whom recognized the late composition. One of his "silent" supporters is "Radak" whose passage from Joshua, given above, is quoted as well as the phrase from Michlol וּמִיָּהּ הִנָּקוּ "and they instituted the vocalization". The plural verb is not to be understood, says Buxtorf, as supporting the authorship of the Massorites and rejecting that of Ezra as Levita would have it. Rather it refers to the Great Synagogue, whose leadership was in the hands of Ezra. "Certainly no Hebrew scholar would understand the words of Kimchi otherwise, except Elijah . . . Give ear, oh Elijah, you revealer, and hear what Kimchi felt about the punctuation . . . the men of the Great Synagogue. . ."⁹²

Testimony likewise is produced from Abraham ibn Ezra's Tsach S'fatayim:

"We possess knowledge to the effect that the vocalization was given on Sinai though the tablets were not pointed; for when God spoke the holy tongue conveyed to the listeners all the (proper) vowels and their intricacies."

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92. Buxtorf, Johannis, Tractatus De Punctorum Vocalium, Et Accentuum, In Libris Veteris Testamenti; Hebraicis, Basil, 1647, p. 34f
The Latin of Buxtorf was translated by Dr. E. Werner.

Here again Levita is accused of gross misinterpretation. "This passage does not support the champions of the "modernity" of punctuation. The upshot of it is: This author Levita says 'the tablets were not punctuated, hence the Hebrew text of the Old Testament has been punctuated about or after the fifth century C.E' Who does not see here the 'anacoluthia' "93

Levita's argument to the effect that the mysteries of the accentuation, the unknown reasons that dictated the precise placement of the accents, prove that only men of great knowledge, in the Torah, such as the Tiberian Massorites, could have accomplished the task (Tov Ta'am 2) is turned against him. "But, oh, how the revealer is again deserted by his own support! If the Massorites might have had good and just reasons in this matter, how much more so Ezra, whose scholarship by far surpassed that of the Tiberian Massorites."94

Following the practice of interpreting the Talmudic terms "te'amim" and "n'ginot" as synonymous designations he accuses Levita of denying that the accents indicate the sacred music because he interprets these terms in their Talmudic usage as different, if cognate entities (as we also have done in chapters one to three above). Buxtorf then stresses the

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93. Ibid. p. 36-7
Cf. Kuzari, III, 29-32

94. Ibid., p. 242

importance of the musical accents for punctuation and rhetorical purposes. The "entire Bible" is chanted by the Jews using this cantillation, he states.

When all is said and done, he concludes, "Ben Naphtali and Ben Asher contributed nothing original. They were but correctors."⁹⁵ In summary, the accents are a creation of the men of the Great Synagogue -- and so the wheel of research revolves.

It was only during the nineteenth century that the great Protestant scholars, especially Ewald, Hupfeld, P. de Lagarde, Wellhausen, brought definite clarity: only then did the Jewish scholars follow suit, (first W. Heidenheim, Zunz, Rappaport and Pinsker), and discovered the three strata of Massoretic schools; the Proto-Palestinian, the Babylonian, and the Tiberian.

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⁹⁵. Ibid, p. 243-4
Cf. Kuzari II, 64-8, 72.

Summary and Conclusions:

a. All Talmudic evidence indicates a sharp division between "neginah" -- cantillation, and "pesuke te'amim" --- syntactical pauses.

b. The confluence of the post-Talmudic written accents and the ancient cantillation took place under the auspices of the Geonim as part of a general reaction to the Karaite movement. The joint function was given the authority of a "me-Sinai" tradition as indicated by Natronai.

c. The generally accepted view that the accents were the creation of Ezra and the men of the Great Synagogue was refuted by Elias Levita on the basis of a clear evaluation of textual evidence.

d. Levita's view that the Massoretic accents are post-Talmudic has been vindicated by the discovery of the earlier Massorah which was still in a developmental stage.

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