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*'Haven't You Learned This Yet?' (yMegillah 3:7, 74b):
The Use of B'rakhot around the Torah Recitation¹*

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Evidence in the rabbinic literature, ranging from detailed discussions with named discussants who bring eyewitness accounts of recent events, to scattered anonymous comments, has served as grist for the mill for scholars interested in reconstructing the historical development of Jewish liturgy. How those textual testimonies are read and interpreted is the topic of no little argument and criticism.² Indeed, once one takes into account the problems of attribution, textual transmission and corruption, one could be forgiven for wondering whether there is any worth in such evidence at all. But surely to proclaim it all suspect is scholastic cynicism at its most extreme. The constructive yet cautious approach dictates that testimonies must be assessed carefully, looking for patterns and tendencies, while simultaneously allowing for the limitations. Moreover, the social disciplines have recently introduced a fresh perspective on the meaning and interpretation of rites, rituals, and liturgies, and have also presented us with different models for how to understand the historical process of liturgical development. These enable the scholar to examine the same tired textual evidence from a different perspective.

This article begins in a traditional manner by assessing the textual testimony for the liturgy and ritual of reciting b'rakhot around the public Torah reading and offers a more nuanced interpretation of the evidence than that which has heretofore been proposed. It then moves on to view this liturgical practice through the lenses of both performative language theory and practice theory, enabling us to consider the 'politics of human agency'.³

The Textual Evidence

In mMegillah 4:1 we read: הפותח והחותם בתורה מברך לפניו ולאחריה—the one who begins the Torah reading and the one who ends it recite the opening and closing b'rakhot respectively.⁴ At what point did the practice evolve into the present custom of reciting both b'rakhot around each section of the Torah

¹ My thanks to Neil Gillman and Menahem Schmelzer for reading and commenting on an earlier draft of this article.

² See for example, Richard Sarason, 'On the Use of Method in the Modern Study of Jewish Liturgy', in William Scott Green, ed., *Approaches to Ancient Judaism* (Missoula Montana: Scholars Press, 1978–1980), 1: 97–172; Ruth Langer, 'Revisiting Early Rabbinic Liturgy: The Recent Contributions of Ezra Fleischer', *Prooftexts* 19 (1999), pp. 179–204; and Fleischer's response (and Langer's to Fleischer's) in *Prooftexts* 20 (2000), pp. 380–87.

³ Bruce Lincoln, 'On Ritual, Change, and Marked Categories', *Journal of the American Academy of Religion* 68 (2000), p. 493.

⁴ All translations are my own.

reading?⁵

In bMegillah 21b the gemara reports anonymously: **והאידינא דכולהו מברכי**—‘Nowadays all of the readers recite both the b’rakhah before and the b’rakhah after.’ The gemara explains that this development was necessary because people were entering and leaving in the midst of the Torah reading: **היינו טעמא דתקינו רבנן גזירה משום הנכנסין ומשום היוצאין**. Rashi clarifies that these individuals might think erroneously that the Torah reading can commence or finish without a b’rakhah if each reader does not recite both b’rakhot.⁶

On the basis of these texts, Ismar Elbogen posited a neat chronological development for the practice of b’rakhot around the Torah reading, with uniform and universal practice at each stage, to wit: in the tannaitic period only the first and last readers said the respective b’rakhot; it then developed that certain passages required the b’rakhot (he cited yMegillah 3:8, 74b which is discussed ahead); and then ‘*in Babylonia they went further and had everyone called to the Torah recite the blessing before and after his passage.*’ Elbogen’s explanation for this linear progression was tied to his assumption that the triennial cycle preceded the annual cycle: as Elbogen imagined it, in the tannaitic period only very short sections were read and therefore only the opening and closing b’rakhot were recited; with the emergence of the annual cycle in Babylonia, each section, now much longer, was now framed by the b’rakhot.⁷

This conclusion has not, to my knowledge, been revisited; and this despite (no longer recent) reexamination of Elbogen’s methods.⁸ Moreover,

⁵ Attempts to date the b’rakhot for the public Torah reading are tied to attempts to date the practice of reading Torah itself publicly. Nehemiah 8 records that **“וויברך עזרא את ה’ האלהים הגדול ויענו כל העם אמן אמן . . .”** While this could be construed that Ezra recited a b’rakhah at the beginning of the reading, it would be more accurate to say that Ezra praised God using the language of **ברך** and the people responded with **אמן**. What exactly Ezra said is impossible to determine, yet this text is often cited as the model and precedent for the b’rakhah preceding the Torah reading; see, for example, Reuven Hammer, *Entering Jewish Prayer* (New York: Schocken, 1994), p. 202: ‘The idea of reciting blessings before reading the Torah is derived from the public reading of the Torah at the time of Ezra.’ Devarim Rabbah, **יא: וזאת הברכה יא:ו**, and *Peskikta de-Rav Kahana*, ed. Bernard Mandelbaum (New York: JTS, 1987), p. 438, go so far as to attribute the first b’rakhah to Moses.

mMegillah 4:1–2 stipulates three times that a b’rakhah is recited at the beginning and at the end of the Torah reading. Tosafot Megillah 21a, **ד’ה: הפותח**, and Jonathan of Lunel, **פירוש רבינו יהונתן הכהן מלוגיל: על . . . בבא קמא**, ed. Shamma Friedman (New York: JTS, 1969), p. 76, explain that this prescription is repeated in order to stress that the rule applies to all occasions. We can conclude on the basis of these mishnahs that recitation of both b’rakhot was known practice (if not widespread) in the tannaitic period, and possibly dates somewhat earlier.

⁶ Ad loc. The Meiri, **בית הבחירה, הערות מאת משה הרשלה (ירושלים: מכון התלמוד הישראלי**, **ע’ סט**, 1962), says that this explanation is also used by the Jews of Northern France for their requirement that each reader say the b’rakhot in a loud voice. The phrase **“גזירה משום הנכנסין ומשום היוצאין”** appears in different contexts on bMegillah 22a (=Ta’anit 27b) and Soferim 10:6, ed. Michael Higger (New York: JTS, 1937), p. 217; see my discussion of this latter use in my ‘Soferim: A Commentary to Chapters 10–12 and a Reconsideration of the Evidence’ (Dissertation; Jewish Theological Seminary, 1998), pp. 281–82.

⁷ Ismar Elbogen, *Jewish Liturgy: a Comprehensive History*, trans. Raymond P. Scheindlin (Philadelphia: Jewish Publication Society, 1993), pp. 139–41.

⁸ See, for example, Sarason’s criticism of Elbogen’s allegiance to ‘the philological method and the historical model which presupposes a development from simplicity (generality) to complexity

Ezra Fleischer's reevaluation of the development of the Torah reading cycle wherein he upended the assumption that the annual cycle was an innovation of Babylonian Jewry, and argued that it was an alternative practice existing already in tannaitic Palestine and later imported to Babylonia,⁹ has also damaged the foundation upon which Elbogen based his understanding of how the Torah b'rakhot evolved. Even were we without reservations about Elbogen's general methodology, this recent reevaluation of the historical development of Jewish liturgical practice suggests that we should reopen discussion around the presumption of Babylonian innovation with regard to the Torah b'rakhot.¹⁰

Fleischer couched his argument for a Palestinian annual cycle in a largely speculative essay, yet his principal proof for an annual cycle in Palestine (bMegillah 31b) remains uncontroversial.¹¹ So, too, in the matter of the Torah b'rakhot, we have textual testimony for the custom of each reader reciting both b'rakhot already in tannaitic Palestine; and reminiscent of Heinemann, the passage testifies to an absence of standardized, homogeneous practice with respect to this liturgical practice.

yMegillah 4:1, 75a records the Tanna Yonatan's criticism of readers who were not saying the b'rakhot in the middle of the reading:

א"ר שמואל בר נחמן: ר' יונתן הוה עבר קומי סידרא שמע קלון
קריוי ולא מברכין. אמר לון, עד מתי אתם עושין את התורה קרחות
קרחות.

Rabbi Sh'muel bar Nahman said: Rabbi Yonatan passed [by a synagogue.]¹² He heard the Torah reading, and [noticed that] the readers were not reciting the b'rakhot. He said to them: How much longer will you make the Torah [reading] bald patches (i.e. smooth; unadorned by the insertions of the b'rakhot)?

Yonatan's criticism suggests that while the Mishnah records its opinion of correct procedure, there was (at the very least) contemporaneous reevaluation and revision of that practice. And his preferred practice is that which Elbogen

(specification)', and of 'his authoritarian, sequential historical model', in 'On the Use of Method in the Modern Study of Jewish Liturgy', pp. 106, 108.

⁹ "קריאה חד-שנתית ותלת-שנתית בתורה בבית הכנסת הקדום", *תרביץ סא:א (תשנ"ו)*, ע' 43–25. Cf. Langer, 'Revisiting Early Rabbinic Liturgy', wherein she criticizes Fleischer's flawed reading of a mishnah; p. 189. However, this error should not obscure the contribution to his discussion by arguing that the annual cycle was practiced in tannaitic and amoraic Palestine—and was hence not a Babylonian innovation. Cf. Lee Levine's criticism of Fleischer and his opposing interpretation of the evidence; *The Ancient Synagogue* (New Haven: Yale, 2000), p. 508. While Fleischer's reconstruction of the evolution of the triennial cycle is forced, it ends up supporting Heinemann's model of liturgical heterogeneity and multiplicity, for it places both systems in Palestine more or less simultaneously rather than too neatly dividing them between Palestine and Babylonia.

¹⁰ Other evidence has proven that the nineteenth b'rakhah of the Amidah was not a Babylonian innovation as had been suggested by Elbogen, but had been alternative practice in tannaitic Palestine; see Sarason, pp. 107–108.

¹¹ I would not go so far as to posit an exclusively annual cycle in Palestine as he does.

¹² Cf. *Übersetzung des Talmud Yerushalmi: Megilla*, übersetzt Frowald G. Huttenmeister (Tübingen: Mohr, 1987), p. 141, where סידרא is rendered as Lehrhalle.

attributed to later Babylonian innovation. So if both practices—only the first and last readers reciting the first and last b'rakhot respectively vis-à-vis all readers reciting both b'rakhot—were known in tannaitic Palestine, how did it happen that the latter came to be uniform practice? Was it imposed from on high by the Babylonian authorities as is suggested by the gemara on Megillah 21b?

Complementary evidence gleaned from yMegillah 3:7, 74b suggests that in rabbinic Palestine a variety of practices around the b'rakhot were in use, which when taken all together suggests a landscape in which the practice stipulated by the Mishnah has been qualified. In short this passage lists exceptions to the rule of the Mishnah.¹³

I. You may not stop [reading the Torah] in the midst of curses. Rabbi Hiyyah bar Gamda said: 'Do not cut off my curses' (Proverbs 3:11); do not break them up into sections.

אין מפסיקין בקללות (מ' מג' ג'ו). א"ר חייא בר גמדה, אל תקוץ בתוכחתו (משלי ג'יא), אל תעשה קוצים קוצים.

II. Rabbi Levi said: God said, It is not right that my children should be cursed while I am being praised. Rabbi Yosi, quoting Rabbi Bun, said: It is not for that reason, rather for this: he who rises to read the Torah should begin and close on a positive note.

א"ר לוי, אמר הקב"ה אינו בדין שיהו בני מתקללין ואני מתברך. א"ר יוסה בר ר' בון, לא מטעם הזה אלא זה, שהוא עומד לקרות בתורה צריך שיהא פותח בדבר טוב וחותם בדבר טות.

III. Levi bar Paseti asked Rabbi Huna: What is the ruling for these curses? Does one person read them and say the b'rakhot before and after them? He said to him: The only times you must say the b'rakhot before and after [a section of the Torah reading] are for the curses which are in Leviticus [26] and in Deuteronomy [28].

לוי בר פסטי שאל לרב הונא, אילין ארורייה מהו דיקרינון חד ויברך לפנייה ולאחרייהו? א"ל, אין לך טעון ברכה לפניו ולאחריו אלא קללות שבתורת כהנים וקללות שבמשנה תורה.

IV. Rabbi Yonatan, scribe of Gufta, came here;¹⁴ he observed that bar Avuna, a scribe, read the Song of the Well (Numbers 21:17), and he said the b'rakhot before and after. He said: Is this how it is done? He [Avuna] said: Haven't you learned this yet? Every song [passage in the Torah] requires [the b'rakhot] before and after.

ר' יונתן ספרא דגופתה נחת להכא, חמא לבר אבונא ספרא קרי שירת הבאר ומברך לפנייה ולאחרייה. א"ל, ועבדין כן? א"ל, ואדיין את לוז? כל השירות טעונות ברכה לפנייה ולאחרייה.

¹³ See my 'Soferim', pp. 358–98, for a detailed analysis of this passage and its parallels, particularly that preserved in Soferim, including a critical apparatus and a discussion of variant texts.

¹⁴ Jacob Naumburg, *נחלת יעקב* (Furth: 1793), translates the verb and its indirect object as 'went to Israel'. H. J. D. Azulai, *כסא רחמים: בוספות* (Livorno: 1803; Ungvar: 1868; Jerusalem: 1969), disagrees, suggesting he 'went to Babylonia'. Joel Muller, *Masechet Soferim* (Leipzig: 1878), pp. 162–63, claims that Gufta lay north of Tiveria, which is where Yonatan went.

V. It was asked¹⁵ of Rabbi Simon. He said to him, quoting Rabbi Yehoshu’a ben Levi: The only times you must say the b’rakhot before and after are the Song of the Sea (Exodus 15), the Ten Commandments, and the curses which are in Leviticus and in Deuteronomy.

יאשיתאל לר’ סימון. אמר ליי ר’ סימון בשם ר’ יהושע בן לוי, אין לך טעון ברכה לפניו ולאחריו אלא שירת הים ועשרת הדברות וקללות שבתורת כהנים וקללות שבמשנה תורה.

VI. Rabbi Abahu said: I never heard [this rule]; it is appropriate in the case of the Ten Commandments.

א”ר אבהו, אני לא שמעתי, נראין דברים בעשרת הדברות.

VIII. Rabbi Yosi, quoting Rabbi Bun, said: The last eight verses of Deuteronomy require the b’rakhot before and after.

ר’ יוסה בי רבי בון, תמנתי פסוקיא אחריא דמשנה תורה טעונין ברכה לפנייה ולאחרייהן.

Exegesis

I. The passage is introduced by a tag from mMegillah 3:6, “אין מפסיקין” “בקללות”, which, in its original context, comes as an aside to a larger discussion concerning which lectionary is read on which special occasion:

בתנוכה . . . בפורים . . . בראשי חדשים . . . במעמדות במעשה
בראשית. בתעניות ברכות וקללות. אין מפסיקין בקללות, אלא
אחד קורא את כלן.

One category of special occasions for which a certain scriptural selection is designated is fast days (תעניות),¹⁶ on which the special section “ברכות וקללות” is read. At this point in the mishnah our statement appears, indicating that no break can occur in the curses section, which should be read in one fell swoop.¹⁷

II. The Talmud then lists possible reasons for the rule just stated. The early Amora Levi remarks that coupling praises of God with curses of Israel is inappropriate: God does not want to be praised at a time when Israel is being cursed. If we assume that mishnaic practice uniformly reigned in the early amoraic period (Levi’s time), then we have to assume that Levi is saying that one can neither begin nor complete the Torah reading with the curses. In this case, one cannot begin reading with the curses section, nor can one stop

¹⁵ The gemara’s text for this phrase (“יאשיתאל”) is obviously corrupt; see my ‘Soferim’, p. 362, for a sample of variant readings.

¹⁶ For a discussion of which fast days are meant, see Joseph Rabbinowitz, ed., *Mishnah Megillah* (London: Oxford University, 1931), p. 107, and Elbogen, *Jewish Liturgy*, pp. 135–36. Soferim 17:5 (ed. Higger, pp. 303–304) quotes mMegillah 3:6 and there adds the gloss: . . . ובתעניות של תשעה באב ושבע אחרונות של עצירת נשמים ברכות וקללות . . . See also Yitzhak Zimmer, *עולם כמנהגו נוהג* (Jerusalem: Zalman Shazar Center, 1996), p. 155, and the sources he cites, note 30.

¹⁷ There is not complete agreement among the commentators as to which section in the Torah the mishnaic rule “אין מפסיקין בקללות” refers. Since the gemara of bMegillah 31a limits it to Leviticus 26, the tendency of later commentators is to do so, also. See this discussed in more detail ahead.

immediately at its end.¹⁸

The second possibility is that Levi speaks from the perspective where each section is framed by the b'rakhot. In this case one can neither begin nor complete his reading exactly at the point of the curses, for then he would violate Levi's principle.

The third possibility is that b'rakhot were generally limited to the commencement and the completion of the reading, but that exceptions were made for some sections of Scripture, among them the curses (see ahead). In this case both ramifications pertain: one can neither begin nor stop exactly at the point of the curses, nor can the reader break in the middle of this passage. Thus we see that Levi's rule can be applied no matter what the actual practice of the Torah b'rakhot was.¹⁹

III. At this point a discussion follows which could be entitled, 'All the special sections of the Torah which should be framed by b'rakhot.' Our passage records various authorities, mostly early Amoraim, who have their own traditions about certain sections of the Torah requiring the b'rakhot—implying, of course, contexts in which the b'rakhot were not being said for each and every section. Given the Palestinian provenance and the relatively early dating of most of the authorities named herein,²⁰ it is reasonable to assume that at least some of these traditions existed already in the tannaitic period as local practices, and the Mishnah does not record these. Among the various special sections which some people framed with b'rakhot were the curses section (or sections), as implied by the statement of Levi above (who does not approve of such practice).

The early Palestinian Amora Levi bar Paseti asks R. Huna²¹ about the matter of saying the b'rakhot before and after the section referred to here as "ארורי".²² Huna's answer provides us with yet another rule of thumb, this

¹⁸ Commentators have struggled with the interpretation of Levi's statement in light of the ruling of mMegillah 4:1. See Meir Friedman, (1833) 3 בית תלמוד "מאמר על חלוקת התורה", pp. 102–103; he takes to task those who interpret this prescription as meaning that one cannot begin or end the weekly reading *as a whole* with the curses, because one would then be compelled by the ruling of mMegillah 4:1 to recite the b'rakhot. Friedman correctly points out that this interpretation does not fit then with the detail that follows—that one reader must read the entire section. That particular determines that "אין מפסיקין" can only be understood as prohibiting the breaks, necessary for a liturgical reading, within this particular section.

¹⁹ The logical result of Levi's principle is the tannaitic ruling which immediately follows in the bMegillah 31b parallel: כשהוא מתחיל, מתחיל בפסוק שלפניהם, וכשהוא מסיים, מסיים בפסוק של אחריהן. That is, once it is established that there are b'rakhot surrounding the curses section, then one must add at least one verse of a positive nature to both the beginning and the end, lest one praises God amidst the curses and violate Levi's principle. This ruling appears with slightly different wording in the Tosafot, Megillah 31b, ד"ה אין מפסיקין; see also Issakhar Ibn Shoshan, ספר תקן יששכר עיבור שנים (ירושלים: חמו"ל, 1988), מנהגות, ע"א.

²⁰ There are several points in this passage where the text is corrupted; see notes 21 and 25.

²¹ There are almost as many variants of the names of these two persons as there are parallel passages. Baer Ratner, ספר אהבת ציון וירושלים (Vilna: 1901–1917; Jerusalem: 1966), Megillah, p. 74, and M. Friedman, "מאמר", p. 105, list the variants.

²² Rashi equates "ארורי" in the bMegillah 31b parallel with Deuteronomy 28; ד"ה בארורי. On the other hand, the Korban ha-Edah thinks "ארורי" refers to Deuteronomy 27:15–26. He understands the prohibition of stopping and the requirement for b'rakhot preceding and following to apply only to Deuteronomy 28 and not to Deuteronomy 27:15–26. For him the gist of Levi bar

time one instructing a reader that b'rakhot before and after individual sections are required only for the curses sections in Leviticus 26 and Deuteronomy 28.²³

IV. Edited into the discussion at this point is a story which addresses the use of b'rakhot before and after the reading of a discrete section, in this case the Song of the Well (Numbers 21:17).²⁴ When Yonatan the scribe questions Avuna's practice,²⁵ the latter responds with apparent surprise: 'Haven't you learned this yet? Every song passage in the Torah requires the b'rakhot before and after.' Yonatan the scribe's question is somewhat ambiguous; he is either familiar with the practice of reciting only the initial and the closing b'rakhot, or he knows of exceptions to this rule but was unaware that *this* was one of those sections.²⁶ Avuna's answer implies that Yonatan is behind the times, to the extent that he does not know the rule that all song passages in the Torah

Paseti's question in the Yerushalmi version is, 'Is the 'ארורי' section of Deuteronomy 27 like the 'קללות' section of Deuteronomy 28 in that breaks are prohibited and b'rakhot are required?' To which Huna responds, 'No, that section of ארורים is different from the curses (קללות) sections, which are the only two sections which require their own b'rakhot.'

The P'nei Mosheh has a remarkably different and more forced understanding of the passage at hand. In the first place he reads it in the context of the preceding ruling which stipulated that one must begin and end on a positive note. It is for this reason, he says, that the b'rakhot for the curses originated already in the period when only the initial reader and closing reader would recite the respective b'rakhot. The b'rakhot were instituted in order that the curses sections would begin and end on positive notes, the b'rakhot themselves providing those positive notes. In the second place, he differs from his counterpart on the page in that he equates the "ארורי" with the "קללות". The P'nei Mosheh understands Levi bar Paseti's question to mean, 'Is this the ruling on the curses sections, that one reads them in their entirety and recites the b'rakhot before and after?' To which Huna responds, 'Yes, b'rakhot before and after an isolated section are required only when reading the curses of Leviticus and Deuteronomy.'

²³ See the parallels in Kohelet Rabbah 8:3 and bMegillah 31b.

²⁴ Why would the song sections require the b'rakhot? Certainly the explanation which the P'nei Mosheh brought for the b'rakhot associated with the curses—that the b'rakhot provide the requisite positive note (see above)—does not apply here where the reading itself is of a positive nature. And, in fact, this commentator is forced to come up with a new explanation for this ruling: he says the songs require the b'rakhot because they are independent units ("ענין בפני עצמן"). However, the meaning of this explanation is not entirely clear. Does he mean to say that they are independent literary creations inserted into the prose of the Torah? Or that if they were read independently of their Torah context, they would be a complete thought? It is easy to imagine that over time certain sections of the Torah took on a life of their own. This is reflected in the fact that different trope patterns have developed for certain sections, a musical way of setting these sections off, marking their special character. That the custom of reciting the b'rakhot around particular sections would also have developed is completely reasonable—a liturgical (as opposed to musical) way to mark them, to announce their special character, even if that which made one section special differed markedly from that which distinguished another. It is also reasonable that this way of distinguishing these sections, rather than another, developed during the late tannaitic and early amoraic periods, given the apparent lack of uniform liturgical practices which prevailed at that time.

²⁵ Regarding the variants of the names of the individuals, as well as of the places, see Ratner, Megillah, pp. 74–75.

²⁶ Yonatan's surprise at Avuna's practice also may be understood to stem from the fact that this particular song consists of only one verse. Did Avuna separate this one verse into a discrete section, thereby violating the rule that a minimum of three verses must be read at one time? Maybe he read verses 17–20, but this is not stated; maybe the minimum of three verses was not yet uniform practice.

must be framed by the b'rakhot.²⁷ This response clearly reveals that change is underway; and in Avuna's opinion, the change is not even particularly recent. We do not know from this passage anything about Avuna's opinion about whether or not to frame the curses with b'rakhot. The context might lead one to assume that he knows about the curses, and that the rule he teaches Yonatan merely adds to the known list of exceptions. Indeed, later commentators have interpreted Avuna in this way.²⁸ But this is a conclusion with no evidence to support it, and what we seem to have here is testimony to different practices existing simultaneously in the early amoraic period around the use of b'rakhot with the lectionaries. We perhaps can hypothesize that these varying local practices extend back into the tannaitic period.

V. We now have a scenario in which R. Simon is asked for his opinion, but regarding what is not exactly clear. Is he being asked regarding the Song of the Well, which was just taught?²⁹ Or is he being asked the general question of which sections of the Torah require b'rakhot recited before and after?

No matter how we interpret the question, the answer is clear: Simon (via the early Amora Yehoshu'a ben Levi) disagrees that all the songs in the Torah require the b'rakhot; aside from the Ten Commandments³⁰ and Deuteronomy 28, he limits the recitation of the b'rakhot to the Song of the Sea. In this case, we have a slightly different teaching about which sections require the b'rakhot; but it still can be argued that each section has a distinctive character which justifies its being set off in this liturgical fashion.

VI. In the wake of Simon's quote of Yehoshu'a ben Levi's ruling comes the response of a fourth-century Palestinian rabbi, Abahu, who exclaims his ignorance of such a rule. He then concedes the appropriateness of such a practice, but only in the case of the Ten Commandments.³¹

²⁷ See Y. Zimmer's discussion of this passage, *עולם כמנהגו נוהג*, p. 155–56.

²⁸ See Yohanan Mizrahi, *ד"ה העומד לקרות, שלטי הזהב*, (JTS manuscript Enclow 270 = Rab. 218); and Muller, *Soferim*, p. 162.

²⁹ This is the interpretation of Azulai *פירוש כסא רחמים*: Tosafot, Megillah 31b, ד"ה אתשאלת; J. E. Landau, *הא:א, מקרא סופרים*, (Sublak: 1862); and others.

³⁰ Landau, *הא:א, מקרא סופרים*, alone notes that it is unclear which version of the Ten Commandments is meant; or (I would add) if both were meant.

³¹ Later commentators were forced to explain this leniency as due either to the fact that it was with these commandments that the revelation was announced (P'nei Mosheh), or because they alone were said directly by God (Korban ha-Edah). Another explanation can perhaps be found buried in the annals of liturgical history. Originally the Ten Commandments held a prominent liturgical position (see mTamid 5:1). However, already in the tannaitic period they were omitted from the daily liturgy; see Reuven Kimelman, 'The Shema and its Rhetoric', *Jewish Thought and Philosophy* 2 (1992): 155–56.

That the omission of the Ten Commandments was later regretted is apparent from the repeated attempts throughout the amoraic period to institute them in the daily liturgy; see Daniel Sperber, *מנהגי ישראל: מקורות ותולדות* (Jerusalem: Mosad ha-Rav Kook, 1992–), 2:109–10, note 63, where he says that despite their omission, our passage makes it clear that *היה זאת היה* "ובכל זאת היה" *מעמד מיוחד לעשרת הדברות*. E. E. Urbach, *The Sages: Their Concepts and Beliefs*, trans. Israel Abrahams (Jerusalem: Magnes, 1975) 1: 19–20, speculates that the liturgical use of the Ten Commandments antedated the Shema; see also pp. 360–66; and idem., 'The Role of the Ten Commandments in Jewish Worship', in *The Ten Commandments in History and Tradition*, ed. Ben-Zion Segal, trans. Gershon Levi (Jerusalem: Magnes, 1990), pp. 161–89. I intend to research the matter of the liturgical inclusion of the Ten Commandments more fully in the near future.

VIII. The last specification on our list of special Torah readings requiring b'rakhot before and after is 'the final eight verses in Deuteronomy'.³²

Evaluating the Evidence

These two passages from the Talmud Yerushalmi undermine the theory of sudden Babylonian decree stipulating that all the readers should recite both b'rakhot around each section of the Torah reading; instead these texts reveal a pattern of gradual, sporadic, and localized development. Moreover, upon second look, it seems possible that the Mishnah simply recorded either its preferred practice or a minimal requirement. If the preceding phrase in mMegillah 4:1, "מקום שנהגו לברך יברך", refers to the practice of each person reciting the Torah b'rakhot, then the mishnaic rule is meant merely to stress that it is the first and last readers who are obligated.³³ One passage proves that widespread Palestinian practice framed different sections with b'rakhot already in the early amoraic period; the other passage (Yonatan's criticism of the Mishnah's practice) indicates that already in the tannaitic period, an alternative practice was for all sections to be framed by both b'rakhot. So it seems that the Babylonian custom was not a new innovation, but simply the adoption of that alternative Palestinian practice.³⁴

The Babylonian Talmud's explanation for using b'rakhot around every section—so that anyone arriving late or leaving early would hear the b'rakhot—could have been attached later to the practice in order to justify it.

³² What is it about these eight verses that, already by the early amoraic period, they had accrued rulings testifying to their extraordinary character? On the one hand, they are somewhat different from the rest of the Torah because they follow upon the event of Moses' death; to paraphrase the P'nei Mosheh, they are in a category unto themselves. A sympathetic dimension to that explanation, recorded in the gemara, holds that Moses wrote these verses with his tears. However, another explanation is that Joshua wrote these verses after Moses' death. (These various explanations can be found in Menahot 30a and Babba Batra 15a.) Such a radical explanation not only raises questions about the extent to which these verses really belong to the Torah, but also makes more understandable why the Rambam could rule that a minyan was not required for this section. (Rambam is careful to stress that הגבורה מפי ומשה היא תורה שהכל תורה "א"פ שהכל תורה היא ומשה מפי הגבורה") Maybe the requirement of the b'rakhot came as an attempt to forestall speculations about Joshua's authorship by emphasizing that this section *is* part of the Torah; see Muller, *Soferim*, p. 165.

Even if we leave aside this question of authorship, we are left with the indisputable impression that these verses are somehow different from all the other verses in the Torah; hence they should be read together as a unit; see *Sefer Abudarham*, ed. Solomon Wertheimer (Jerusalem: 1959), p. 305. And after all, the b'rakhot might simply just emphasize that this section completes the reading of the Torah cycle; Muller, *Soferim*, p. 165, puts this pragmatic lid on the discussion.

Complicating matters is the fact that this particular sentence in the Yerushalmi text has numerous variants with attendant textual problems; the Yerushalmi version quoted here seems to have been cleaned up. See my 'Soferim', pp. 391–96.

³³ See Jacob Epstein, *מבוא לנוסח המשנה* (Jerusalem: Magnes, 1964), p. 492.

³⁴ yB'rakhot 7:3 reads: . . . רבי ועירא קם מקרי כהן במקום לוי ובירך לפניו ולאחריה . . . ד"ה ובירך לפניו ולאחריה. However the passage itself does not make any remark to that effect, and leaves the reader with the impression that this was established practice.

On the other hand, this explanation could have been the justification for this practice from its origins and was only first recorded in the amoraic period. In any case there is no compelling reason to conclude, as did Elbogen, that every reader reciting both b'rakhot was a completely new innovation of Babylonian Jewry. More likely it was already an alternative practice in Palestine.³⁵

In conclusion, Elbogen's linear, progressive reconstruction of the historical development for the b'rakhot around the Torah reading is as flawed as his assumption of the Babylonian innovation of the annual Torah cycle. Just as the annual cycle most likely developed as an alternative local Palestinian practice during (or before) the tannaitic period, so too the custom (which may or may not be related) of each reader reciting both b'rakhot. Almost forty years ago Joseph Heinemann argued against a uniform, homogeneous liturgical practice in the tannaitic and amoraic periods.³⁶ Certainly this model still best explains the early and eventual development of the middle Torah b'rakhot.

Analyzing the Torah B'rakhot, Part I: Performative Language Theory

Performative language theory, which contributes to a contextual or 'thick' analysis of a ritual, moves beyond treating the words of liturgy and ritual as mere information; instead, appreciating the fact that liturgy involves the repeated recitation of certain words known to all participants, it inquires as to the change in the existential situation of those who participate in the liturgy.³⁷ In other words, how does the liturgy or ritual alter the participant's view of the world? What state of affairs is established or changed by the liturgy or ritual? What aspects of human communication which transcend the content of the liturgy are revealed? In trying to answer these kinds of questions, a performative language analysis is sensitive to the actors in the liturgy, noting how (among other things) the liturgy or ritual sets participants apart while still unifying and defining the group by centering attention. In short, performative language theory analyzes a liturgy according to what happens or what is accomplished—either socially, psychologically, or spiritually.³⁸ This approach 'serves to unveil aspects of human communication which transcend the *con-*

³⁵ Moses Sofer, *חידושי חתם סופר השלם על הש"ס* (Jerusalem: 1986), 10:5, reaches this same conclusion, albeit from a different avenue. He assumes that the practice in mishnaic times was that every reader would say both b'rakhot, and he understands mMegillah 4:1 to teach that it permits the option of doing otherwise. Jonathan of Lunel, ed. S. Friedman, *פירוש רבינו יהונתן* (New York: JTS, 1969), p. 76, on mMegillah 4:2, points out that nowhere does it say that it is forbidden to omit the middle b'rakhot. He also stresses that there is no requirement to recite them.

³⁶ *Prayer in the Talmud*, trans. Richard Sarason (New York: Walter de Gruyter, 1977), ch. 2 *et passim*. The original Hebrew edition was first published in 1964.

³⁷ An excellent summary of performative theory analysis can be found in Joseph J. Schaller, 'Performative Language Theory: An Exercise in the Analysis of Ritual', *Worship* 62 (1988): 415–32. He draws heavily upon J. L. Austin's theoretical *How to Do Things with Words* (Cambridge: Harvard, 1962), and others, but his discussion is particularly noteworthy for its clarity, synthesis, and application to two particular rites.

³⁸ Schaller, p. 426.

tent of utterances and point to the realm of meaning which unfolds in the process of using language . . .'.³⁹

When different ways of performing a liturgy or ritual exist (such as where there are three varying ways by which to organize a lectionary ritual and its accompanying liturgy), presumably different performative messages are being expressed. What are these different messages and how do they compare?

As a preliminary step to our analysis of the ritual meaning of reciting b'rakhot around the lectionary—and the three different ways of doing so to which our historical records testify—we must ask a more fundamental question concerning the function and meaning of reading scriptural texts in a liturgical setting.⁴⁰ The results of this investigation will then contribute to the analysis of the b'rakhot.

The first observation about the Torah ritual that must be made is the curious fact that we *recite*⁴¹ the Torah publicly and formally. Certainly if exegesis alone were the point, one would not need to recite the entire text, sequentially, accompanied by great fanfare. The point is that Torah is not being read, nor is the exercise simply a didactic one—it is a ritual recitation.⁴² The origin and role of the Torah b'rakhot have to be understood functionally in this context: because the Torah recitation evolved as a liturgical act and *not* as a study activity, it was therefore placed into the liturgical format of a *seder-b'rakhot* (i.e. preceded and followed by b'rakhot which altogether comprise a discrete liturgical unit).⁴³

³⁹ Schaller, p. 432.

⁴⁰ William Graham, *Beyond the Written Word: Oral Aspects of Scripture in the History of Religion* (New York: Cambridge, 1987), has studied the function and meaning of canonized texts in liturgical settings. I am grateful to Avraham Holtz for alerting me to a reference to this important work. Graham focuses on the liturgical use of scriptures in the Muslim and Hindu traditions, emphasizing the oral and aural aspects of scriptural readings and recitations in liturgical settings. In my opinion, Graham greatly underestimates and even misunderstands the degree to which Judaism values the oral and aural experiences of scriptural recitation. See his discussion on pp. 49–57. However, his general observations regarding the recited aspects of scripture and the sensual aspects of liturgy are valid and should be tested more thoroughly against the use of lectionaries in the Jewish tradition. Even he acknowledges that his study falls short when he writes, 'Meaning is carried by the recitation over and above the particular meaning of the literal passage recited, however deeply felt and understood that meaning may be on an intellectual plane. How to get at that meaning is a detailed project for another place . . .'; pp. 114–15.

⁴¹ Hereafter I will refer to Torah *recitation* rather than the more customary Torah *reading*. In so doing, I emphasize the fact that the official 'reader' has the text virtually memorized beforehand. It is impossible to 'read' a Torah scroll if one has not already committed to memory the vocalization, sentence breaks, and musical notation. Thus, although it may appear that one is reading, s/he is actually reciting. This distinction was brought to my attention by Graham who makes the same observation about liturgical 'readings' of the Koran; p. 98ff. The distinction becomes important ahead in the discussion of the purpose of *reciting* the Torah in a liturgical setting.

⁴² Paul Bradshaw makes a similar observation about a particular fourth-century Christian use of the New Testament; *Daily Prayer in the Early Church* (London: Alcuin, 1981), p. 86.

⁴³ Just like the Sh'ma passages, the Torah reading is framed by b'rakhot at the beginning and at the end. Avraham Holtz observed in conversation with me that both these liturgical units are designated as "קריאה" — "קריאת התורה" and "קריאת שמע". Perhaps the designation "קריאה" was meant to be contrasted with "לימוד", but this requires further study. Cf. Ruth Langer, 'From Study of Scripture to a Reenactment of Sinai', *Worship* 72 (1998), p. 48, where she argues that the original study act evolved into a ritual act.

What is the purpose of reciting large sections of the Torah at one time in a *liturgical* setting? Or, to ask it differently, why did the peak cultural experience of Torah become public recitation rather than private (or even public!) reading, a development which suggests that the value lies in the performance over and above the actual words (because the material is not new to those who participate)?

Liturgical acts are metonymic—that is, the smallest gesture or action refers to something of which the participants are aware. Public Torah recitation is a prime example of such metonymic behavior.⁴⁴ Liturgy, in general, is also anamnestic,⁴⁵ intended to ‘mak[e] present an object or person from the past’, or to reactualize history *as if* we were there participating in a particular historical event.⁴⁶ Good examples of metonymic behavior and liturgical anamnesis can be found in the Passover Seder, when the participants eat ritually designated foods which are intended to evoke certain historical experiences (for example, the bitter herbs which reactualize the bitterness of slavery). The Haggadah from which every participant reads states this goal of reactualization explicitly.⁴⁷

בכל דור ודור חייב אדם לראות את עצמו כאילו הוא יצא ממצרים
... הוציאנו מעבדות לחרות . . .”

In each and every generation one is obligated to see him/herself *as if* s/he left Egypt ... brought *us* from slavery to freedom . . .

The very structure of Jewish worship is deeply imbued with this *as if* quality; for example, the basic three daily services are explained by the early rabbis as having their correlates in the sacrificial system.⁴⁸ The Avodah service on Yom Kippur functions to provide an anamnestic opportunity to participate in that day’s activities in the Temple, and the poetic elaborations are meant to heighten the individual’s subjective sensual experience. Piyyutim which describe historical events in vivid detail (for example, the water-gathering cere-

This liturgical structure stands in contrast to the recitation of Torah b’rakhot in the early morning liturgy which acknowledge the performance of the mitzvah of daily Torah study. One recites these b’rakhot before reading brief selections from the biblical and rabbinic literatures. In this case, however, there is no closing b’rakhah which would serve to make this an independent liturgical unit cast into the framework of a *sefer-b’rakhot*. See the related discussions on bB’rakhot 11b, and Tosafot ad. loc., ד”ה שכבר נפטר.

⁴⁴ Martin Jaffee set me thinking along these lines when he referred to ‘the metonymic character of a text’ in a private conversation on this matter, for which I thank him.

⁴⁵ This is the adjective form of the noun *anamnesis*. Recent usage seems to prefer *anamnetic*; see, for example, Langer, ‘From Study’, p. 51; Robert Taft, *The Byzantine Rite* (Collegeville MN: Liturgical Press, 1992), p. 69. But *Webster’s New World Dictionary*, ed. David Guralnik (New York: World Publishing, 1970) prescribes the form I am using; sv. *anamnesis*.

⁴⁶ This is an example of what is meant by the performative function of ritual; see Roy Rapaport, ‘The Obvious Aspects of Ritual’, in his *Ecology, Meaning, and Religion* (Richmond CA: North Atlantic, 1979). See also Lawrence Hoffman, ‘Jewish and Christian Liturgy’, in *Christianity in Jewish Terms*, ed. Tikva Frymer-Kensky, et. al. (Boulder: Westview, 2000), pp. 182–83, and the sources he cites there.

⁴⁷ Here the Haggadah is quoting mPesahim 10:5. Thus, even the Tannaim saw the purpose of the ritual and liturgy to be anamnestic.

⁴⁸ bB’rakhot 26b.

mony celebrated during Sukkot at the Temple) are meant to cast one experientially into these different moments, as if s/he were there.

So too the liturgical act of Torah recitation, wherein long sections are rapidly recited with no provision made for comprehension. Repeated oral recitations of a written text are not unique to Judaism, and those who study this universal phenomenon point out that 'rooting within consciousness' occurs when words 'shift from the visual sense . . . to the oral-aural sense (the subjective experience';⁴⁹ this 'transform[ation] . . . requires that to some degree [the text] be already present in the consciousness of the hearer and speaker.' As a result, 'the holy words of scripture are experienced . . . as having spiritual power . . .'⁵⁰ In the case of our Torah recitation the affect draws its power from anamnesis: when a Jew recites the Torah for a community in a liturgical setting, all assembled are meant to enact anew the revelation at Sinai, *as if* Moses were once again repeating the Divine words to the assembled multitude.⁵¹ The Jew, separated from the event by a vast amount of time, thereby becomes a 'contemporary'⁵² with those who actually experienced it.

The ritualized behaviors accompanying the Torah recitation which have evolved throughout the medieval period and into the modern period are stylized choreography meant to supplement this interpretation (the metonymic aspect mentioned before). The curtain is pulled back and the aron is opened in a grand gesture to reveal the Torah, as the sky opened at the original revelation.⁵³ The participants going up to the table where the Torah is placed are said to receive an *aliyah*, just as Moses ascended the mountain to receive the revelation. The participant grabs hold of the handle of the scroll *as if* to grab hold of the tablets. *Aliyot* are distributed among the congregants, enabling even those who cannot actually read from the Torah to participate, just as all the Israelites were present at Sinai.⁵⁴

The b'rakhot which accompany the liturgical recitation of the Torah further express this idea. The concluding words of both b'rakhot which acknowledge God's action of revelation are "נותן התורה", that is, not 'Who gave the

⁴⁹ This and the following quotes are from the editor's introduction to *Experiencing Scripture in World Religions*, ed. Harold Coward (Maryknoll: Orbis, 2000); pp. 9–12.

⁵⁰ Today's availability of printed Torah texts for all worshippers who then follow along with the Torah reciter detracts from this spiritual experience even while heightening the didactic one.

⁵¹ The activity often is described as a *reenactment*; see Steven Fraade, 'Rabbinic Views on the Practice of Targum and Multilingualism in the Jewish Galilee of the Third–Sixth Centuries', in ed. Lee Levine, *The Galilee in Late Antiquity* (New York: JTS, 1992), p. 266; and Langer, 'From Study', p. 52. But it seems to me that '*reenactment*' (as opposed to *enactment*) overlooks the liturgical goal of expressing immediacy. The assumption that Torah reading is an enactment of revelation underlies the curious ruling that a minyan is not required for the reading of the last eight verses of the Torah; precisely because those verses are suspected of not having been part of the revelation to Moses could the Rambam rule in this way; ה' תפילה יגו. See the discussion above; also my 'Soferim', pp. 392–96.

⁵² While the inspiration for this language came from Michael Fishbane, *Text and Texture* (New York: Schocken, 1979), p. 82, he does not discuss there the act of reciting the Torah in a liturgical setting.

⁵³ פּרָקִי דְרַבִּי אֱלִיעֶזֶר (Warsaw: 1852), #41 (beginning).

⁵⁴ Avraham Holtz points out to me that this enactment quality is also apparent in the actions of the *hagbahah*; and in the congregational response: "וואַת הַתּוֹרָה".

Torah', but 'Who gives the Torah'. Even when we allow for the ambiguity of the active participle, we are compelled to affirm that the past tense, which is used in the b'rakhah formula when there is an overt, conscious attempt to limit a b'rakhah to the historical event (such as "גאל ישראל"—'Who redeemed Israel'—in the third b'rakhah of the Sh'ma unit), was obviously and consciously avoided here.⁵⁵ So while the historical event is implicit in the language, the present-time nature of the action is clearly stated.⁵⁶

It is clear that, at least on some level, the rabbis interpreted this liturgical recitation of the Torah as an anamnesis,⁵⁷ because the parallel is explicitly presented in the rabbinic literature: just as God read the Torah to Moses, so too Moses read it to Israel;⁵⁸ and thus our own act imitates the original act of revelation.⁵⁹ Moreover, just as Moses recited a b'rakhah before he read from the Torah, so too (according to rabbinic stipulation) the Torah reciter must first recite a b'rakhah.⁶⁰

From the performative language perspective, texts 'are not inconsequential to the meaning of the ritual. If liturgy is understood as ritual performance, then the texts must be seen as being in an essential relationship to the whole ritual act, a "language-action synthesis".'⁶¹ Here the synthesis of the action of reciting Torah together with the present-tense language of the b'rakhot contemporizes the revelation and confirms the individual's participation in the original revelation.

According to the performative language approach, the impact of the ritual has to be measured by the degree to which a participant's perspective on the world has been altered.⁶² Performative theory thus offers an interpretation of the Torah recitation ritual which transcends the transmission of information—the didactic or exegetical function⁶³—by referring to the

⁵⁵ The past tense, נתן, is used in the body of the b'rakhah. This conforms to the standard construction of b'rakhot which typically open with a reference to God's particular action in the past, thereby establishing a precedent and justification for the affirmation in the closing formula. This then describes God's action as on-going through the use of the active participle.

⁵⁶ See Heinemann's discussion on the use of the active participle as opposed to the past tense: *Prayer in the Talmud*, pp. 97–98. My thanks to David Marcus for a helpful conversation about this issue. Cf. Langer's argument of how the b'rakhot underscore the ritual reenactment (her word) of revelation; 'From Study', pp. 50–51.

⁵⁷ The interpretation of a given liturgy or ritual can vary, depending upon the time, place, and participants. In other words, the ascribed meaning at any one moment is entirely culturally determined, and within Jewish culture there are many different sub-cultures, both synchronically and diachronically. Nevertheless, there are certain 'boundaries' in which the possible range of meanings fall. See the astute and pointed comments of John Cort, 'Recent Fieldwork Studies of the Contemporary Jains', *Religious Studies Review* 23 (1997), pp. 107–108, to this effect.

⁵⁸ Devarim Rabbah, (כי תבא, ז:ח טורף).

⁵⁹ Rashi on Exodus 19:1 verbalizes the rabbinic notion that we are to regard the Torah as given anew each day, but he does not link that attitude to the liturgical act of reading the Torah. See also Abraham J. Heschel, *The Sabbath* (Philadelphia: JPS, 1962), p. 98: 'The day of giving the Torah can never become past; that day is this day'

⁶⁰ Devarim Rabbah, זאת הברכה, יא:ו. Obviously this is a retrojection of rabbinic custom—there is no record of the b'rakhot in the Torah.

⁶¹ Wade Wheelock, 'The Problem of Ritual Language', *Journal of the American Academy of Religion* 50 (1982), p. 59.

⁶² Schaller, p. 427.

⁶³ The rabbinic literature likens the need for frequent and regular Torah readings to that for

anamnesic quality of this public, formal ritual. A goal of ritual and liturgy is to prevent the individual worshipper from becoming alienated from his/her sacred history: the historical events and their inherent theological meaning are translated into contemporary events. In the case of Torah recitation, the individual is connected with the Divine in the most intimate way imaginable: by being present for the revelation, the ultimate communication.⁶⁴ The frequent and regular Torah recitations insure that this experiential and contemporizing aspect is perpetually repeated, cementing the relationship of the individual with his/her sacred history and ultimately with the Divine again and again. The act of reciting the Torah thus takes on a mystical dimension.⁶⁵

Now we can ask: How do the three different modes for the Torah ritual during the rabbinic period differ in their performative message? The mishnaic practice of reciting the b'rakhot only once and neatly framing the Torah text emphasizes the anamnestic aspect by (in the rabbinic imagination) reciting the lectionary as much in imitation of Moses' act as possible—with minimal interruption, necessary only for a change of reciter.

The contrasting practice of additionally framing some passages from the Torah (for example, the Ten Commandments) with b'rakhot highlights the importance of those specific selections, setting each off as an independent liturgical sub-set. This practice focuses attention on the content of the text, suggesting a qualitative shift in what is being recited. Here the emphasis is on the actual content of the scripture, as opposed to the Mishnah's practice which emphasizes the anamnestic aspect of the total ritual. In the Mishnah's practice the b'rakhot frame the ritual qua ritual; in this alternative practice, the b'rakhot function as liturgical highlighters of specific texts. A result of this alternative is that certain selections of the lectionary take on an import that others by implication lack, and the revelatory quality of the entire lectionary is implicitly undermined. Furthermore, since the coherence of a *seder-b'rakhot* depends upon an opening b'rakhah (or b'rakhot) and a closing b'rakhah (or b'rakhot) framing biblical text, for example the *K'ri'at Sh'ma u-birkhoteha*, this practice results in violations of the *seder-b'rakhot* structure of the entire Torah ritual by presenting on occasion an arrangement like or similar to the following: opening b'rakhah, text, text, opening b'rakhah, text,

frequent drinks of water; bBabba Kamma 82a and its parallel in Midrash Hagadol, ed. E. N. Rabinowitz (New York: JTS, 1932), **מצורע**, pp. 375–76, *inter alia*; see also the discussion of this material in my 'Soferim', pp. 453–56. This imagery illustrates the extent to which the rabbis consciously embraced a didactic purpose for the regular public Torah recitation, even if its function as enactment of revelation was implicitly understood and assumed.

This didactic function is at play whether we theorize that assembling for worship leads to the canonization and recitation of texts which then serve to define the community; or whether we theorize that the oral and aural experience of the text (as an enactment of the revelation) is the end itself. In either case, the didactic purpose dictates that regular and *frequent* readings from the text are desirable, in an effort to introduce and reinforce those values which define the community. So this didactic function remains central even in the case where the more fundamental, liturgical function of the scriptural recitation is the enactment of the revelation.

⁶⁴ Similarly the Eucharist, wherein the participant is connected through consumption of wine and wafer with Jesus' redemptive act.

⁶⁵ Fishbane, *The Garments of Torah* (Bloomington: Indiana University, 1989), p. 77, says the same about the act of study.

closing b'rakhah, text, text, text, text, closing b'rakhah—a loss of structural integrity which does not offer the benefit of the next alternative.

This third alternative—where each section is framed by b'rakhah—shifts attention away from the scripture by highlighting the role of the individual participant: each *kore* (or *oleh* in the later period) recites his own independent *seder-b'rakhah*. Looking at this structurally, there are now anywhere from three to seven (or more) independent Torah recitations! From a performative language perspective, there is now increased possibility for a larger number of participants, 'in assuming prescribed roles, to understand the meaning of the [ritual] from a stance of active involvement.'⁶⁶ Each participant finishes the ritual with certain 'assurances',⁶⁷ in this case that of having been present at the revelation. This alternative emphasizes the participatory feature of this ritual by spreading the anamnestic wealth around, enabling several people on a given day to stand in Moses' shoes at the revelation, with individual needs for anamnestic participation taking priority over the purely structural approach of the Mishnah and overriding the text-centered concerns of the second alternative as well. The result is a repetitive use of the *seder-b'rakhah* template, but people's needs to experience the anamnesis as fully as possible are now met.

Ultimately this third practice prevailed, possibly because of the dominance of Babylonian customs in general, but more likely because it answers a human need to participate liturgically.⁶⁸ The Talmud's pragmatic explanation for this practice is concerned with eliminating questions about the need for b'rakhah, but the psychological rationale is concerned with multiplying personal opportunities for anamnesis. There are many contemporary examples of the perpetual tendency to maximize individual participation in ritual reactualization. One of these is the increasingly popular contemporary practice of group *aliyot* to the Torah (about which we will say more ahead).

Analyzing the Torah B'rakhah, Part II: Practice Theory

Observing these three practices for the Torah ritual brings us to another analytical approach, that of practice theory. Practice theory addresses the phenomenon of change and dynamism in liturgy, which is otherwise generally characterized by a loyalty to unvarying tradition and resistance to change. Here I am influenced in my thinking by Bruce Lincoln who uses practice theory to analyze a section of the thirteenth-century Norse saga, *Heimskringla*, which describes rituals associated with royal succession. In one case a certain heir to the throne violates the standard ritual of drinking from a unique, ceremonial cup by using instead a 'large drinking horn', which very soon thereafter is understood to have been a symbolic foreshadowing of the new king's expansionist intentions.⁶⁹

⁶⁶ Schaller, p. 422.

⁶⁷ Ibid., p. 427.

⁶⁸ Cf. Langer's explanation, 'From Study', p. 50.

⁶⁹ Lincoln, 'On Ritual', pp. 489–93.

Using a linguistic and anthropological understanding of how certain words, behaviors, and objects are 'marked', that is, contextually distinctive and expressive, Lincoln describes how the standard ceremonial vessel—used exclusively in this context and consequently 'marked' vis-à-vis all other drinking vessels—is actually 'unmarked' in the particular context for which it is the standard implement. However in this unanticipated, unprecedented deviation from standard practice, the protagonist deliberately introduces an inappropriate drinking vessel which is therefore contextually highly 'marked': it draws attention to itself, impresses itself on the memory of the audience, and therefore communicates much more effectively than the expected vessel would have.⁷⁰

The 'marked' quality of words, behaviors, and objects in ritual is, of course, no novel point. Obviously ritualization relies upon markedness to effect differentiation, and to establish a privileged contrast between quotidian and special objects, words, and behaviors. So, for example, Torah recitation is marked through the use of the *seder-b'rakhot* and certain choreography; and it is performed rapidly thereby differentiating it from Torah study—just as the Eucharist meal is too small for nourishment and is therefore differentiated from a regular meal.⁷¹ What is novel in Lincoln's study is his point that 'marked practices gradually lose their marking as they become detached from the set of contrasts that made them marked in the first place.' Those objects, words, or actions which were originally marked become expected and even cease to become marked at all. Marking can occur now only by introducing new contrasts, new juxtapositions, new innovations in detail, language, or action.⁷²

It is easy to imagine how any one of the Torah recitation rituals might have developed as a contrasting practice intended to communicate a certain message. The b'rakhot sporadically inserted into the middle of the Torah recitation clearly functioned as marks which deviated (now paraphrasing Lincoln's words) from the standard ritual scenario by calling attention to the specially marked Torah passage and constructing a novel meaning in contrast to the established norm.⁷³ Used in this way, the b'rakhot marked these specific passages, as opposed to the mishnaic norm of using only the opening and closing b'rakhot. These few significant variants (for example, the Curses) in turn set the precedent for future such markings (for example, the Ten Commandments or the Song passages).

But what about Lincoln's point that the inherent repetitiveness will eventually result in the marked quality of a ritual becoming perceptively unmarked? Perhaps the mishnaic practice of using the b'rakhot in only the initial and ultimate positions eventually became 'unmarked' by virtue of being its perpetual, standard practice; it is possible that new markedness was interjected by introducing b'rakhot around *all* of the passages. Or if the latter practice were standard and ultimately became unremarkable, Torah recitation could have gained new meaning if suddenly only the opening and closing b'rakhot

⁷⁰ Ibid., p. 492.

⁷¹ See Catherine Bell, *Ritual Theory, Ritual Practice* (New York and Oxford, 1992), pp. 90–91.

⁷² Lincoln, p. 492; he draws heavily but not exclusively on the work of Catherine Bell, *Ritual: Perspectives and Dimensions* (New York: Oxford, 1997).

⁷³ Ibid., p. 492.

were used! Likewise, limiting b'rakhot only around certain sections would have marked these in contrast to marking all or none of the sections.

The Aliyah as 'Marker'

The changing of the reciter himself represents a parallel yet different kind of marking. This plurality of reciter-participants clearly served to symbolize the 'democratization' of the revelation. Eventually a new kind of markedness was introduced when individuals who were not reciting the Torah were nevertheless called to recite only the b'rakhot.⁷⁴ In so doing, the democratic aspect of the revelation was further emphasized, as the opportunities for individual active involvement were increased.

Recently we have begun to see a new kind of marking around *aliyot*: the sharing of these by couples or families, usually on the occasion of celebrations such as a bar mitzvah or anniversary. Similarly there is the relatively new practice of group *aliyot*, whereby people who share a particular experience or concern, e.g. illness, a recent graduation, a successful committee, etc., are called to recite the b'rakhot together. In these cases new meanings are constructed through the introduction of modifications—the audience or onlookers are jolted into attention and they react by distinguishing this performance from others—and with 'consequent gains in an economy of prestige' for the participants.⁷⁵

What we see then is a transition from marking the content of the Torah to marking the nature or definition of participation in the b'rakhah recitation. This evolution of marking has resulted in an eclipsing of the importance of the scriptural recitation itself and an increased emphasis on the b'rakhot with the participants themselves being the marks. We have an example here of the difference between the level of 'utterance'—what the text of the b'rakhah means on the literal level—and the level of the enunciation, where (in this case) one identifies one's self with a particular social group through joint recitation.⁷⁶

This phenomenon of increasing the number of individual participants originally drew upon the rabbinic investment of anamnestic value into the Torah ritual; but in the modern period, participation in b'rakhah recitation now socially defines the participant vis-à-vis others present. This new modification marks social sub-groups, defining who is 'in' and who is 'out' in the context of a particular b'rakhah recitation. The Torah ritual becomes an opportunity for sub-group identification, and as such is an outstanding example of how liturgy gets 'appropriated', especially by those not in the ecclesiastic elite.⁷⁷

⁷⁴ The history of this development is difficult to trace exactly. See Zimmer's treatment of the topic: *עולם כמנהגו נוהג* 1, pp. 157–59.

⁷⁵ Lincoln, p. 493.

⁷⁶ Mark Searle, 'Introduction to the Semiotics of Liturgy,' unpublished paper, p. 26, n. 20.

⁷⁷ This is an example of Joyce Ann Zimmerman's application of Paul Ricoeur's hermeneutics to liturgical change, referring to the popular appropriation of a liturgy which had been formerly the province of the elite (she speaks specifically of liturgical phenomena in the aftermath of Vatican II). This observation certainly applies to the increased emphasis on participation in Jewish ritual in the last thirty years, which Zimmerman would label 'appropriation'; 'Introduction to the Semiotics of Liturgy,' unpublished paper, p. 7.

At this point in our analysis we find that we have returned to the performative perspective, noting that this new elaboration on the ritual serves to foster closer relationships among specific sub-groups of people, while also reinforcing important social roles and/or values.⁷⁸

Conclusion

The three different modes of reciting the Torah b'rakhot used in the early rabbinic period offer different examples of how communities would mark their Torah recitation. The communities which marked only particular passages were presumably reacting against a standard practice in which no particular passage was so marked or in which all passages were marked. But which of these two practices actually developed first is historically impossible to determine—Elbogen's strictly progressive move from simplicity to complexity is unverifiable. Moreover the perspectives of performative language theory and practice theory suggest to us that the Mishnah's absence of internal marking might have originally evolved in reaction to another practice which used internal marking in an attempt to make an innovative and distinctive liturgical statement.

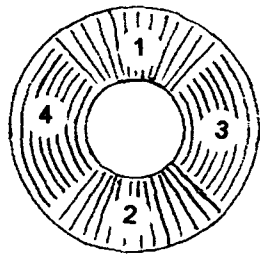
⁷⁸ Schaller, p. 417.

*Heal O' Israel: A Pair of Duplicate Magic Bowls from the Pergamon Museum in Berlin**

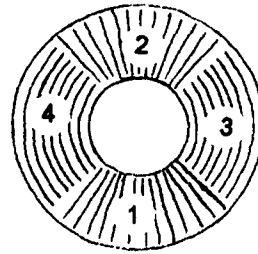
DAN LEVENE

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The two Jewish Aramaic magic bowls that are published here, VA 3854 and VA 3853, are part of the collection of the Museum of Ancient Near Eastern Antiquities in the Pergamon Museum in Berlin. Unfortunately, there is no information about the context in which they were found, beyond the fact that they were excavated by the Babylonian expedition in 1887.¹ The bowls are of a medium size, the dimensions being 21.4 cm (wide)×7.4 cm (deep) and 22.5 cm×7.3 cm. The layout of the text on these bowls is unusual, they are arranged in four sections of text that are all roughly of equal size. Two of the sections are written as a series of lines that start at the rim of the bowl and progress towards its middle. The other two sections consist of a sequence of lines that are parallel to the rim, proceeding from it towards the centre of the bowl. There is a slight difference in the order in which the scribe laid out the sections of text in the two bowls (see illustration below).



VA 3854



VA 3853

* I would like to thank the Museum and especially Joachim Marzahn for providing me with the photographs and encouraging me to publish these bowls. I would also like to thank Shaul Shaked and Mark Geller for their numerous comments and suggestions.

Abbreviation: AIT—Bowls Published in 1913, James A. Montgomery, *Aramaic Incantation Texts from Nippur* (University of Pennsylvania, The Museum, Publications of the Babylonian Section, vol. III, Philadelphia, 1913).

Signs used in the transliteration of the texts: ()—uncertain readings; []—restoration of lost writing; < >—omitted by the scribe by mistake; “ ”—only part of the letter is visible; { }—superfluous writing in the text; ^ ^ written above the line.

¹ Of these two bowls VA 3854 has previously been published, as a photograph with no transcription, in a catalogue of the museum's exhibition in Rostock in 1975 (*7000 Jahre Kunst und Kultur an Euphrat und Tigris* (Kunsthalle Rostock 2/75, Rostock, 1975), fig. 20), and mentioned in a catalogue from Göttingen in the same year ('Keilschrift-Grabungen—Gelehrte, zum 200. Geburtstag G. F. Grotefends' (Die Welt des Alten Orients, Göttingen, 1975), cat. no. 220).

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