

Nekudot: The Dots that Connect Us

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Recent history has witnessed a rise in the polarization within the Jewish community, highlighted, for example, by the book *Jew vs. Jew*.¹ While perhaps counterintuitive, this polarization is evidenced by – if not exacerbated by – some individuals or groups who have sought to mask the relative heterogeneity of philosophical, historical or *halakhic* opinions firmly within Orthodox or traditional scholarship. That is, some rabbinic authorities and authors have attempted to portray Orthodoxy as a unified and monolithic collection of viewpoints, such that any dissent is to be characterized as “out-of-the-mainstream,” if not outright heretical.² This effort to marginalize viewpoints on

¹ S. G. Freedman, *Jew vs. Jew: The struggle for the soul of American Jewry*, Simon and Schuster, 2001. See also, N. Efron, *Real Jews: Secular Versus Ultra-Orthodox: The Struggle for Jewish Identity in Israel*, Basic Books 2003 (discussing the polarization of the haredi and secular Jews in Israel); S. Bloom, *Postville: A Clash of Cultures in Heartland America*, 2000 (focusing on the clash between Habad hassidim and “middle American” culture).

² There are numerous examples of this. Artscroll publications are notorious for this form of censorship. See, Dr. J.J. Schachter, “Haskalah, Secular Studies and the Close of the Yeshiva in Volozhin in 1892,” *The Torah U-Madda Journal*, vol. 2, 1990, pp. 76-133; Dr. J. J. Schachter, “Facing the Truths of History,” *The Torah U-Madda Journal*, vol. 8, pp. 200-276.

This censorship is generally accomplished through the excising of “controversial” text. A recent example is found in a reprint of R. D. Z. Hoffmann’s responsa, *Melamed L’Hoil*, by the haredi publisher Kest-Lebovitz, where an entire *teshuvah* has been removed presumably because it mentioned that in R. Samson Raphael Hirsch’s school the children sat bareheaded for secular studies. See Kest-Lebovitz ed., R. D. Z. Hoffmann, *Melamed L’Hoil*, n.d. vol. 2, pp. 50-51 and see R. D. Z. Hoffmann, *Melamed L’Hoil*, Frankfurt 1926, vol. 2, pp. 50-51 for the actual text. There is also the phenomenon of excising letters of approbations by “controversial” rabbis. See e.g. R. Y. Patzanvisci, *Pardes Yosef*, Israel, n.d. vol. 1, pp. 362-363, where R. Kook’s

fundamental topics of Jewish law and philosophy – even though such viewpoints have been the opinion of many distinguished sages – quite obviously promotes polarization by effectively casting disfavored views in a pejorative light.³

Moreover, a variety of labels are often employed to distinguish among different groups of Orthodox Jews, e.g., *Ultra-Orthodox*, *Modern Orthodox*, *Centrist Orthodox*, *Hassidic*, *Yeshivish*, etc. The labels are used as a proxy to describe a host of philosophies or political views. However comforting labels may be to people, individuals, in reality, are more nuanced and complex. Indeed, gross generalizations and their attendant labels generally do an injustice to individuals by failing to accurately describe them. Groups of people often subsumed under a single label may have varying views, opinions, and practices. Orthodox Judaism itself is not homogeneous; instead it is comprised of individuals who espouse many different views and defy rigid categorization.

One example of this rich diversity and lack of homogeneity within Orthodox Judaism is the controversy regarding the origins of the system of *nekkudot*, vowel markers. This article seeks to demonstrate, via analysis of the history of the debate regarding the antiquity of this system, that Orthodoxy is comprised of multiple viewpoints, and that the bearers of those views cannot necessarily be categorized by shorthand labels.

approbation should appear, but in the current editions is lacking. See also, M.Y. Berisch, *Helkat Ya'akov*, Jerusalem 1951 where Chief Rabbi Herzog's approbation appears, but is absent in the subsequent editions. A particularly egregious example is also found in R. E. Gordon, *She'elot v'Teshuvot R. Eliezer*, New York-Cleveland, 1949. Louis Ginzberg, who himself was a student in Telshe and eventually a professor at the Jewish Theological Seminary, was instrumental in publishing this work. On page 196, he is thanked for "providing material help" in the publication. However, this "thanks" was then covered up with a large piece of correction tape. See also *supra* notes 41 and 51 for other examples.

³ See, Marc B. Shapiro, "Of Books and Bans," *The Edah Journal* 3:2, 2003, for some recent examples of book bans. A more recent example is the banning of R. N. Slifkin's books which present multiple views regarding the creation story and other issues regarding science and faith. For more information on this ban see, <http://zootorah.com/controversy/controversy.html>.

A. The Controversy Regarding the Dating of the *Nek kudot*

As we are all aware, the Hebrew alphabet is comprised entirely of consonants. Vowels are formed via *nek kudot*⁴ – a series or combination of dots and dashes – placed underneath or above the consonants. Although Hebrew is easily read without such markings, the *nek kudot* guide the reader toward a correct, definitive pronunciation. Indeed, a word written without such *nek kudot* is often susceptible to more than one pronunciation and meaning. Notably, *nek kudot* are not found in any of our *sifrei Torah*, nor are the names of the *nek kudot* mentioned in any of the great works such as the *Mishna* or the *Talmud*. Where do these *nek kudot* originate and, if these are G-d given,⁵ why is it that they do not appear in any of the aforementioned texts?

R. David ibn Zimra (“*Radbaz*”, c. 1480-1573), in a responsum, offers a direct answer to the second question and indirectly touches on the first question as well. *Radbaz* framed the issue as follows: “Why is it that we do not write the *nek kudot* in a *sefer Torah* as all [including the *nek kudot*] was given to Moses at Sinai? Furthermore, the *Ta’amim* should also be written as this would enable the reader to read with greater accuracy, without errors...?” R. Zimra responded:

Your question sheds light on the Midrash that narrates a discussion between G-d, the angels and Moses. When Moses ascended to heaven to accept the Torah, the angels said to G-d, “Why is this human amongst us?” G-d

⁴ There are actually three and, perhaps, even four systems of *nek kudot*. See generally, E. Tov, *Textual Criticism of the Hebrew Bible*, second edition, Augsburg Fortress, 2001, pp. 39-49 and the sources cited therein. See also *Encyclopedia Mikra'it*, Bialik Institute, Jerusalem 1968, vol. 5, col. 837-857.

The focus of this paper is on the dots used for pronunciation purposes. There are other dots and markings found in the Torah, such as the ten dots above words. On these see, Tov, *Textual Criticism*, pp. 55-57 and the sources cited therein.

⁵ This question of when the *nek kudot* were given does not mean that up until that date there were no vowels in the Bible. Rather, there were several possible readings, none of which was absolutely determined by the text.

responded, “He has come to accept the Torah.” The angels responded “The Torah should remain with us as it says, ‘Place your glory [the Torah] in the Heavens.’” Moses then interjected “What need do you [the angels] have for the Torah, the Torah says ‘don’t kill, don’t covet’ do you kill or covet?” [R. Zimra asked regarding this conversation], what did the angels think? Did they not know that these commandments were written in the Torah? Therefore, one must assume that there is actually a different reading of the Torah, one that does not conform with our [human] reading, instead it is a spiritual reading, a reading that instead of commandments consists of divine names of G-d. *Razā’l* say that all of Torah is just divine names of G-d. Therefore [by agreeing with Moses], G-d admitted to the angels that there is a different reading, a physical reading, a reading that is accomplished with splitting the letters differently which makes the Torah discuss [not the names of G-d but instead] *tumah v’tabarab, issur v’heter, potur v’hiyuv* and the rest of the laws. After I have prefaced my comments with this understanding, we can now return to your question. G-d commanded us to write the Torah without *nekkudot v’ta’amim* as it was in order to enable both readings, both the spiritual reading, made up of G-d’s names and the physical reading, the reading that is full of laws and the like.⁶

According to R. Zimra, then, the reason that the *nekkudot* are not written into the *Sefer Torah* is to leave room for additional readings, specifically the “spiritual reading” of the Torah. It is apparent that both the questioner and R. Zimra implicitly assume that the *nekkudot* were given on Sinai. (As we shall see, however, this position is not “*Torah mi Sinai*.”)

In the *Machzor Vitri*, a different answer to the same question, posed to Radbaz is offered. “In the *Teshuvot ha-Geonim*, ... the Torah that was given to Moses at Sinai did not contain *nekkudot*, and in fact the *nekkudot* were not even given at Sinai. . . therefore we do not place *nekkudot* in the *sefer Torah*.”⁷ According to this unnamed⁸

⁶ *She’elot u-T’shuvot ha-Radbaz*, Israel, 1971, vol. 3, no. 1065 (643).

⁷ *Machzor Vitri*, A. Goldschmidt edition, Jerusalem 2004, pp. 192-193, Shabbat no. 20.

Teshuvot ha-Geonim, the reason that the *nekkudot* are not included in the *sefer Torah* is because we are emulating what Moses received when he received the Torah at Sinai. The reason that Torah did not contain any *nekkudot* is because, at that time, there were no *nekkudot*. This understanding of the origins of the *nekkudot* obviously differs from the understanding of R. Zimra and, as we shall see, many others.

There are essentially two sides in the above dispute, which we will refer to as the "traditional" view and the "non-traditional" view, respectively. The "traditional" view begins with the premise that the *nekkudot* are essential to the proper understanding of the Torah.⁹ That is, without such a written system of vowels, the meaning of the Torah might be indeterminate; as explained above, Hebrew words often can be read in multiple ways in the absence of *nekkudot*. If one assumes that G-d unquestionably gave the Torah with a single, undisputed reading, one would argue that the current *nekkudot* system was in place at the time the Torah was given. In other words, at the time of the reception of the Torah, we also received from G-d a codified pronunciation system, the *nekkudot*. The other opinion understands that although Hebrew necessarily includes a vowel system, the actual *nekkudot* symbols themselves were not given by G-d along with the Torah. Indeed, this "non-traditional" view generally holds that the *nekkudot* symbols were instituted by the *Ba'alei Mesorah* sometime between the sixth and eighth centuries of the Common Era.

1. The Opinion of R. Elijah haBahur

Though, as noted above, there are authorities that, in an indirect manner, deal with the question of the origins of the *nekkudot*, no one until the 16th century addressed this issue directly. R. Elijah haBahur¹⁰

⁸ See J. Penkower, "Sefer Massoret haMasoret l'Eliyahu haBakur," in *Italia* vol. VIII no.1-2, Jerusalem 1998, pp. 12-13, n. 24.

⁹ I am utilizing "traditional" with the full awareness that it is far from certain what actually is the "traditional" view. However, if labels are necessary at all, I believe that most would consider the view that the *nekkudot* date to Sinai to be the "traditional" one.

¹⁰ It is unclear why he is called *Babur* meaning young one or bachelor. Some link this title with his book *haBabur*, originally published in Rome, 1518. However, in his introduction he states the converse, that he

(Levita), the 16th-century grammarian, was the first to critically analyze this question. Before discussing R. Elijah's view, some background is necessary.

R. Elijah lived in Padua, Italy until 1509.¹¹ In 1509, during what is known as the Italian Wars, the Hapsburg Empire, in a bid to take over the northern Italian states, laid siege to Padua. This siege devastated the city and was especially hard for the Jews who lived there. R. Elijah lost everything and was forced to leave and journey to Rome (*id.*). When he arrived in Rome, his reputation – as one knowledgeable in Hebrew grammar – preceded him, and he was befriended by a most unlikely official, the Hebraist, Cardinal Egidius da Viterbo (*id.*). The cardinal welcomed R. Elijah into his home, where he lived for thirteen years until Rome was sacked by the armies of Charles V (*id.*). During his stay at the cardinal's home, R. Elijah taught him *dikduk*,¹² and the cardinal is even cited in several of R.

called the book *baBabur* because people call him *baBabur*. See R. Levita, *Sefer haBabur*, Prague 1789, Introduction of the Author, no pagination.

¹¹ S. Buber, *Toldot Eliyahu haTishby*, Leipzig 1856, p. 8, see also C. D. Ginsburg, *The Life of Elias Levita*, in *The Massoreth haMassoreth of Elias Levita*, London 1867 pp. 1-84.

¹² This was not without controversy. Apparently, many Jews in Rome found teaching Torah to a non-Jew to be reprehensible and a violation of the Talmudic injunction found in *Haggigah* 13a. However, R. Elijah defended himself and offered a novel interpretation of the Talmudic passage from which the prohibition is derived. The passage in question reads, “*A'in mosrin divrei Torah l'akum.*” R. Elijah noted the use of the language “*mosrin*” and not “*melamdin*” (teaching). R. Elijah argued that “*mosrin*” is specific to topics that require “*mesirab*” such as the details of the creation story (*ma'aseh Bereshit*), the Chariot of G-d (*ma'aseh merkavah*), and the Book of Creation (*Sefer Yetzirah*). However, for anything outside of these, there is no prohibition to teach a non-Jew. See *Mesorat ha-Masorat*, Basel 1539, second introduction.

See also, R. Issacher Baer Eilenburg, *Be'er Sheva, Kuntras Be'er Ma'ayim Ha'ayim*, no. 16 who also makes this distinction but comes to a slightly different conclusion. But see R. Tzvi Hirsch Chayes, *Hagayot Maboratz Chayes*, *Haggigah* 13a where he notes that *Tosafot* has a different reading of the passage that has *milamdin* and therefore according to this reading R. Elijah's distinction would be moot. On this issue, see, J.D. Bleich, *Contemporary Halakhic Problems* vol. II, New York, 1977, pp. 311-340; D. Kaufman, *JQR*, IX, April 1897, pp. 500-508.

Elijah's works.¹³ The cardinal, aside from the help and material support he extended to Elijah, was also involved in many other Jewish affairs. For example, he was instrumental in getting the traveler/messiah David Reuveni an audience with the Pope.¹⁴

This biographical information portrays Rabbi Elijah as an Orthodox but extremely colorful figure. It should come as no surprise that his understanding of the *nekkudot* was revolutionary. He writes in regards to the *nekkudot*:

Having now reached the place in which I, at the beginning of this Introduction, promised to state my own opinion about the *nekkudot v'hata'mim*, I shall first do battle against those who say that they were given on Sinai, and then state who invented them, and when they were originated and affixed to the letters. But if anyone should prove to me, by clear evidence, that my opinion is opposed to that of our rabbis of blessed memory, or is contrary to the genuine Kabbalah of the *Zohar*, I will readily give in to him, and declare my opinion as void. Up to this time, however, I have neither found, nor seen, nor heard, any evidence, nor anything approaching it, that is worthy to be relied upon, that the *nekkudot v'hata'mim* were given upon Sinai. . . Now this is my opinion upon this subject. The *nekkudot v'hata'mim* did not exist either before Ezra or in the time of Ezra, or after Ezra until the close of the Talmud. And I shall prove this with clear and conclusive evidence.

First, in all the writings of our Rabbis of blessed memory, whether the Talmud, or the *aggadot*, or the *midrash*, there is not to be found any mention whatever of, or any allusion to, the *nekkudot v'hata'mim*. Is it possible that, if they had the *nekkudot v'hata'mim* they would not even once have mentioned the name [*Kamat*], *Pattach*, *Segol*, or [*Tzerev*]? . . . What is still a greater proof, the following remark in the Talmud (*Baba Bathra*, 21b), “[Yoav] slew his teacher because he had preformed the work of the Lord deceitfully, in reading to him *zakhar* [the males of *Amalek*] instead of *zeker* [the remembrance of

¹³ See Buber, *supra* note 11, note 16 and 17, also according to R. Elijah he wrote his *Sefer haBahur* at the urging of the cardinal. See *Sefer haBahur*, Prague 1789, Introduction of the Author, no pagination.

¹⁴ See, A. Z. Aescoly, *Sippurei David Reuveni*, Bialik Institute, Jerusalem, 1993, pp. 34-35.

Amalek](Deut. XXV, 19). Now is it credible that he would have attempted to read *zakhar* [with a double *Kamatz*], if they had the *nekkudot*, and the word in question had been pointed *zekher* with six points?¹⁵ . . . And another [proof]: the names of the *nekkudot* - most of them are not Hebrew instead they are Aramaic . . . I therefore submit that it is perfectly evident to me that the vowel points neither existed nor obtained in the days of the Talmudic sages, and much less in the time of the men of the Great Synagogue.¹⁶

In sum, R. Elijah is of the opinion that the *nekkudot* are not of Sinaitic origin; instead they are much later than Sinai, perhaps as late as the close of the Talmudic period (circa 500 C.E.).¹⁷

¹⁵ Although he seems to say that the correct *nikkud* of it with two *segols*, however, this is far from certain. See M. Breuer, *Mikra'ot she-yesh la-hem bekre'a*, Jerusalem 1989; J. Penkower, *Minbag uMassora "Zekher Amalek" bHamesh 'o bShesh Nekkudot*, in *Iyyunei Mikra uParshanut*, Ramat Gan, 1997, vol. 4, pp. 71-116.

For a response to R. Elijah on this specific proof text, see R. M. Plungian, *Me'luim* in R. J. ibn Habib, *Ein Ya'akov*, Tel Aviv, 1960 photomechanical reproduction of the Vilna, 1847 edition. Although the *Me'luim* is done anonymously, R. Plungian reveals himself by citing to "his work *Ohr Boker*." R. Plungian was the editor at the famed Romm Press and was also considered by many to be a *Maskil*. See R. Y.Y. Kenivski, *Karyyna d'Igrata*, Bnei Brak, 1986, vol. 1 no. 253, advocating for the removal of R. Plungian's notes on *Yoreh Deah* that appear in the standard editions due to his *Maskilik* tendencies. For further biographical details on R. Plungian, see D. Mitzgen, *Alon Bakhot* in *Ha-Melitz*, 1883 no. 91.

¹⁶ E. Levita, *Mesorat ha-Masorat*, Basel 1539 no pagination, third introduction; translation from C.D. Ginsburg edition, *supra* note 11 pp. 121-130. He does explain how it was possible to read Hebrew without the vowels. "For the sacred tongue was the language which all spoke, both young and old, children and women, since they had no other language until they were driven from their land. When, therefore, a child was being taught to know the letters, his teacher read with him from a book each verse two or three times, until he was familiar with it." (*id.*)

¹⁷ R. Elijah actually developed this theory in an earlier work, *Meturgeman* written in 1513. Ultimately *Meturgeman* was published after *Messorot haMessorot* (1538), in 1541. Having stated his arguments in *Messorot*

R. Elijah's opinion is the starting point for this discussion. However, in the debate that flows from his opinion, a debate that spans up to modern times, the personalities that have joined this discussion are ones from all different levels of religiosity and Orthodoxy. In the centuries following the publication of R. Elijah's work, there were to be major upheavals in Jewish life, such as the start of the Reform and *Haskalah* movements. This era would have been ripe for the utilization of labels to decide how each of these personalities would come out on this issue. In fact, this would not prove to be the case. Instead, these personalities defied conventional wisdom and decided this issue contrary to any sort of classification or labeling.

2. The Me'or Enayim and His Disagreement with R. Elijah

The first to challenge R. Elijah¹⁸ was R. Azariah dei Rossi (c. 1512-1577) in his work *Me'or Enayim*.¹⁹ However, the *Me'or Enayim*, even prior to publication, was subject to withering criticism and was put under the ban by leading Italian Rabbis including those from R. Azariah's hometown, Mantua, as well as luminaries in Rome, Ferrara, Padua, Pesaro, in addition to other Italian Rabbinate. In an effort to stay the *herem*, R. Azariah allowed for annotation to be included in his work specifically dealing with the most controversial parts.²⁰ The area

haMessoret he declined to publish that portion in *Meturgeman*. See Penkower, *supra* note 8, pp. 7-15. Penkower also notes that R. Elijah altered and left out some of the arguments that are found in the original. *Id.*

¹⁸ For the Christian response to R. Elijah, see Ginsburg, *supra* note 11, pp. 53-61.

¹⁹ While many disagreed with R. Elijah regarding the *nekkudot*, he was still highly respected. His dictionary, *Sefer haTishbi* is widely used and many important Rabbis have written notes on it. These include, R. Yosef Toemim (*Pri Megadim*), R. Y. Emden, and R. Y. Pik (author of the *Mesoret haShas*). See generally, R. E. Levita, *Sefer haTishbi*, Beni Brak, 2005, pp. 31-51.

²⁰ On these more controversial portions of his book, and the subsequent ban generally, see I. Mehlman, *Genuzot Sefarim*, Jerusalem 1976, pp. 21-39, he includes copies of the altered pages. See also, I. Zinberg, *A History of Jewish Literature*, Cincinnati, Ohio, 1974, vol. 4, pp. 110-114;

that was particularly controversial was his understanding of the *Aggadot*.²¹ He took the position that they were to be understood as allegories and not historical accounts. The opposition to R. Azariah spread beyond Italy to *Safed*, where the *Bet Joseph*, R. Yosef Karo, one of the greatest, if not *the* greatest rabbi of the day, had serious doubts regarding the *Me'or Enayim*. R. Karo's views are preserved by R. Hayyim Yosef David Azulai (*Hida*).

I have found in the library of the Great Rabbi a single sheet which was written by R. Elisha Gallico and was joined by R. Moses Alshich and I have reproduced it word for word. "In order that the truth not be hidden I will tell the truth how when the book written by R. Azariah dei Rossi that is called *Me'or Enayim* ... and it is without a doubt that one who keeps this book has violated the prohibition against *ba'al yirach u-ba'al y'matzeb*. Therefore, I brought this book to R. Yosef Karo and after a few days he called for me and commanded me to write a proclamation for him that he would then sign. The basic idea of this proclamation was that it [the *Me'or Enayim*] should be burnt in every place that it be found. He [R. Karo] was surprised at the rabbis in [R. Azariah dei Rossi's] town that allowed for the printing of the book at all. However, I delayed in carrying out R. Karo's wishes and by the time that I was able to [write up the proclamation] he became sick, and then died and was therefore unable to sign this. Therefore, I have done this to allow all to know what his position was. Signed, R.

M. Carmilly Weinberg, *Sefer v'Sayif*, Jerusalem, 1967, pp. 53-58; R. Bonfil, *Kitvei Azariah min ha-Adumim*, Jerusalem 1991, pp. 96-119, 134-136; M. Benayahu, *The Polemic Regarding the Me'or Enayim of Azariah de' Rossi*, *Asufot* 5 Jerusalem, 1991, 213-265 (Hebrew).

This *herem* did nothing to stop people from using this. For lists of people using the *Me'or Enayim*, see, Y.L. Zunz, *Toldot R. Azariah min ha-Adumim*, *Kerem Hemed* vol. 5 (1841) pp. 131-158 and vol. 7 (1843) pp. 119-124; R. M. Straushun, *Rehovot Kiryah* in S. Fuenn, *Kiryah Ne'manah*, Vilna, 1915, pp. 282-284 n. 11 (reprinted in M. Straushun, *Mivhar Kitavim*, Jerusalem 1969, pp. 169-172 n. 11).

²¹ There were other areas in his book that provoked controversy. He also questioned the current age of the world as well as the immutability of the statements in the Talmud regarding scientific matters. See Zinberg, *supra* note 20.

Elisha Gallico, and all these things I have also heard from R. Karo, Signed, R. Moses Hayyim Alshich.”²²

The ban spread to Central Europe where R. Judah Loewe (*Maharal*) decreed it was impermissible to read the *Me'or Enayim*.

It is thus apparent that the *Me'or Enayim* was not viewed as being in conformity with the “traditional” camp of Orthodoxy.²³ Nonetheless, R. Azariah defends the idea that the *nekkudot* were given at Sinai. R. Azariah, after citing R. Elijah haBahur’s discussion, takes issue with his hypothesis. What is perhaps most interesting is the source that R. Azariah uses as conclusive – the *Zohar*: “[R. Elijah haBahur] admitted that ‘I shall succumb to the will of any person who can disprove my argument against our rabbis.’ So we would say to him: ‘Who will uncover the dust from your eyes, Bahur, you who are chosen from the people.’ Since the kabbalistic works to which we shall refer were not yet in print in his lifetime ... However today²⁴ ... all the *Bahir*, *Zohar*, *Tikkunim*, and the *Mareket Elokut* have been published . . . and they all discuss the *nekkudot* by their names and their descriptions . . . Thus, Bahur’s view is patently undermined since we have intimations to prove that the different kind of vowels and accents were in existence not only before the close of the Gemara, but even before the composition of the Mishnah. And if he were with us today, he would certainly submit to our view.”²⁵ Thus,

²² R. Hayyim Joseph David Azulai, *Mabzik Berakh Kuntret Achron Orakh Hayyim*, Livorno 1785 p. 133.

²³ R. Elijah’s biographer, Solomon Buber, see *supra* note 11, a scholar who devoted his life to publishing unknown *midrashim*, did not agree with R. Elijah either. See *supra* note 3, p. 26 n. 32 where he says that he wrote a book, *Hesek Shlomo*, to disprove R. Elijah. It appears that this work was never published.

²⁴ The *Me'or Enayim* was published in 1573 and the *Zohar* was first published in Mantua in 1558-1560 and the *Tikkunim* was also published in 1558.

²⁵ R. Azariah di Rossi, *Me'or Enayim*, Warsaw 1899 p. 413 chapter 59; for an English translation see J. Weinberg, *The Light of the Eyes*, 2001, pp. 701-703. For a listing of all places in the *Zohar* literature where the *nekkudot* are mentioned, see Penkower, *supra* note 8, p. 34 n.80, p. 36-3; see also R. R. Margolis, *Sha'arei Zohar*, Jerusalem 1994, p. 154-16. Penkower posits that R. Elijah was actually aware of many of these passages. Penkower then comes up with the novel conclusion that when R. Elijah wrote, “But if anyone should prove to me, by clear

R. Azariah viewed the *Zohar's* mention of the *nekkudot* as dispositive, claiming that Elijah haBahur himself would reverse his opinion based upon the *Zohar*.

The view that the *Zohar* was dispositive was espoused by at least two other authorities,²⁶ one of which may come as a surprise to many. The first, and the least surprising,²⁷ is R. Hayyim Yosef David Azulai. In his *Shem haGedolim*, when he discusses R. Elijah haBahur's work, R. Azulai says, "In my youth I saw . . . in *Mesorat ha-Masorat* [by R. Elijah] that [R. Elijah states that the] *tammim* and *nekkudot* were instituted after the close of the Talmudic era by the *Hakbmei Teveriah* [the *Ba'alei Mesorah*]. R. Elijah is incorrect and must beg forgiveness, as these are *Halakha l'Moshe m'Sinai* and are included in the list [of

evidence, that my opinion is . . . contrary to the genuine Kabbalah of the *Zohar*," he was implicitly declaring that all the known passages that discuss the *nekkudot* must have been later emendations and were not part of the original *Zohar*. Penkower, *id.* 49. However, this is a rather tenuous understanding of R. Elijah's comments at best. Further, according to Penkower's thesis, R. Elijah was not only aware of these passages from the *Zohar* but was somewhat of an expert. Penkower claims that R. Elijah went so far as to teach Cardinal Egidio the *Kabbalah*. However, this would run contrary to many of R. Elijah's explicit statements that he was unfamiliar with *Kabbalah*. See for example his *Sefer haTishby*, where he writes "I have not learned this wisdom, [Kabbalah], and the words of the holy ones I do not know nor understand." R. E. haBahur, *Sefer haTishby*, Sighet 1910, s.v. *ki'bel* p. 92. Furthermore, as noted above in note 12, R. Elijah specifically stated that he did not teach the Cardinal *Kabbalah* as that would violate the Talmudic ban. Although it is true that R. Elijah did act as a copyist for Edigio and copied a manuscript of the *Zohar*, copying does not automatically translate into knowing or understanding or even being fully aware of what one is copying. Therefore, there appears to be no need to ignore R. Elijah's explicit written statements due to acting as a copyist. One can assume that had R. Elijah actually been aware he would have kept his pledge and reversed his opinion in light of this.

²⁶ There are others that also rely on the *Imrei Binah* see e.g. R. Sabbethai Sofer, *Siddur Sabbethai Sofer*, Introduction volume, Baltimore, Maryland 2002 pp. 49-50.

²⁷ Although this is still somewhat surprising in light of the fact that he is basically quoting and espousing the view of the *Me'or Enayim*, considering that the Hida in his other work, *Mabzik Berachab*, insisted on burning the *Me'or Enayim*.

various textual aids that were given at Sinai] found in *Nedarim* 37a.²⁸ Further, it is already known that R. Simeon ben Yohai the teacher of Rabbi Yehuda haNasi, the compiler of the *Mishna*, in the *Tekkuni Zohar* speaks wonders regarding the *tammim* and the *nekkudot*.²⁹ Again, we have another example of using the *Zohar* to dispute R. Elijah haBahur.

The second person to employ the *Zohar* in defense of the “traditional” view of the *nekkudot*, is R. Moses Mendelssohn.³⁰ Moses Mendelssohn, the founder and *de facto* leader of the *Haskalah* movement – indeed, according to some, the progenitor of the Reform movement – defends the view that the *nekkudot* are from Sinai. Mendelssohn, in the introduction to his translation of and commentary on the *Torah* known as the *Biur*, quotes the thesis of R. Elijah haBahur.³¹ He then says, “however, the *Ba'al Imrei-Binab*³² has

²⁸ This understanding of this passage is far from universal. For a collection of the various understandings see *Encyclopedia Talmudit*, vol. 20, col. 599-601. See also, R. S. Y. Rappaport, *Erekh Milin*, Prague 1852, s.v. *a'm* p. 108 that also offers an alternative reading of this passage of the Talmud that agrees with R. Elijah haBahur.

²⁹ R. Hayyim Yosef David Azulai, *Shem haGedolim, Marekhet Sefarim*, Israel 1997 S.V. *Tuv Tam* p. 59. Although, he is espousing the same rationale as the *Me'or Enayim*, he does not cite him. R. Azulai is very hesitant about citing authors that he felt were problematic. As is evident from the discussion above regarding the *Me'or Enayim*, *Hida* had serious questions regarding its reliability.

For another example of *Hida* not citing authors that he felt bordered on heresy, see his discussion in *Birkai Yoseph, Yoreh Deab siman* 89 no. 6 where he quotes “*y'esh mi she'kata'*” and never cites the author by name. In actuality, he is quoting the *Hemdat Yamim*, which may have been written by Nathan of Gaza, Sabbtai Zevi's “prophet,” where this opinion is found. The citation can be found in the Venice, 1763 edition, vol. 1 (Shabbat) p. 58a. Neither does R. Azulai have an entry for the *Hemdat Yamim* in his bibliographical work, *Shem haGedolim*. Both of these exclusions lead to the conclusion that he did not feel this to be a legitimate work. For a contrary opinion, see M. Benayahu, *Rabbi Hayyim Joseph David Azulai*, Jerusalem 1959, pp. 143-146.

³⁰ Mendelssohn is a controversial figure within Orthodoxy and his place in history is hotly debated. See. J.J. Schachter, *Facing the Truths of History*, *supra* n. 2 at p. 263, n. 112.

³¹ This work, of course, was placed under a ban, as was the *Me'or Enayim*. See generally, P. Sandler, *haBiur l'Torah shel Moses Mendelssohn v'Siato*

already destroyed [R. Elijah haBahur's] thesis based on the works of the *m'kubalim*, specifically the *Bahir*, *Zohar*, *Tekunim*, and the *Idra*, which are not only before the close of the Talmudic era, but even before the writing of the *Mishna*. They all mention the names of the *nekkudot*.³³ Again, we see an undisputed “non-traditionalist” marshalling the *Zohar* to prove that the *nekkudot* existed from before the time of the *Mishna*.

B. The Dating of the Zohar

Until this point, all those who disputed the thesis of R. Elijah haBahur relied primarily on the *Zohar*. However, this presupposes that the *Zohar* is actually a legitimate historical document; that is, that it was actually written by R. Simeon ben Yohai.³⁴ If it were not the case that this was written by R. Simeon, then the fact that the *Zohar* mentions the *nekkudot* would be meaningless. Therefore, the use of the *Zohar* as a proof-text to date the *nekkudot* system means that we must know exactly when the *Zohar* was written. Should we conclude that the *Zohar* did not predate the *Ba'ali Masorah* (c. 5th-9th century, the date offered for the *nekkudot* by R. Elijah), then the *Zohar* would not disprove R. Elijah's thesis.

However, the dating and the authorship of the *Zohar* is by no means a certainty. The *Zohar* as it is printed today was not discovered until the 14th century. The *Zohar*, attributed to R. Simeon ben Yohai,

Hithavuto ve-Hashpa'ato, Jerusalem 1984 pp. 194-219. Contrary to popular perception, Mendelssohn is actually quoted by numerous “traditional” Orthodox Rabbis. See M. Hildesheimer, *Moses Mendelssohn in Nineteenth-Century Rabbinical Literature*, in *Proceedings American Academy for Jewish Research* 55 (1988) pp. 79-133.

³² The *Imrei Binah* is the section of the *Me'or Enayim* where the discussion regarding the *nekkudot* is found.

³³ R. Moses Mendelssohn, *Netivot Shalom*, Fuerth, 1804, Introduction. Although he does go on to cast some doubt as to whether or not the proofs from the *Kabbalah* literature are sufficient, he does finish his discussion by saying “the sources that the *Imrei Binah* cites are worthwhile to rely upon from the works of *Kabbalah* to disprove the thesis of R. Elijah haBahur.” *Id.*

³⁴ In the interest of brevity I will refer to the works of *Kabbalah* that are typically part of the *Zohar* corpus, such as the *Idra*, *Tikunim*, *Bahir* and the like under the collective name, *Zohar*.

who lived in the second century, never saw the light of day until over one-thousand years later. The *Zohar* was purportedly discovered by a Spanish *Kabbalist*, R. Moses de Leone. Even at the time of the discovery some people questioned the legitimacy of the find. One of the only contemporaneous accounts that has survived is highly critical of R. de Leone's discovery.

In the first edition of the *Sefer haYuchasin*, there is a detailed discussion about R. Isaac of Acre, a 14th-century *Kabbalist* and student of R. Moses Nachmanides, which attempted to ascertain the authenticity of the *Zohar*.

R. Isaac traveled to Spain to visit R. Moses de Leone in order to investigate the discovery of the *Zohar*. R. Isaac briefly met R. Moses de Leone, but soon after his meeting, R. Moses passed away. R. Isaac, in co-operation with a wealthy Spaniard, R. Joseph de Avila, devised a plan to prove the authenticity of the *Zohar*. The plan was as follows: R. Joseph's wife would approach both R. Moses's widow and his daughter proposing a match between R. Joseph's son and the orphaned daughter of R. Moses de Leon. The only condition to this proposal would be procuring the actual manuscript of the *Zohar*. R. Isaac then describes how the plan was borne out.

On the next day and he said to her [R. Joseph's wife], "go to R. Moses's wife and say to her: I wish for my son to marry your daughter, you will lack nothing for the rest of your days, we will provide you with food and clothing. I only request the *Zohar* manuscript. You should approach the wife and the daughter separately, listen to their responses. This way we will insure that they are being truthful." She [R. Joseph's wife] went and did this. R. Moses's wife answered R. Joseph's wife and said, ". . . this book was in my husband's possession, but from the very beginning I realized he was the actual author. In fact, I confronted him and asked him why is that you tell people that you copied this work from a manuscript when it is really your own? Would it not be more beneficial to say that it is your own, will it not raise your honor? He answered, if I were to reveal this secret that I am the writer, no one will pay any heed to the book, no one will spend a *perutab* on it, because they will say I made it all up. However, now that people hear that I am copying the *Zohar* that *Rashbi* [R. Simeon ben Yohai] with divine knowledge [wrote], they will purchase it for significant

sums.” After she approached his widow, she approached his daughter . . . and her reply was the same.³⁵

This testimony was deemed so damning that it only appeared in the first edition of the *Sefer haYuchasin*, published in 1566. In the second edition, published in 1580, the testimony of R. Isaac of Acre is missing. In fact, in all subsequent editions this passage is missing and was only restored close to three hundred years later in the 1857 edition.³⁶

Although some contemporaries of R. Moses de Leone had doubts regarding the authenticity of the *Zohar*, as evidenced by R. Isaac of Acre’s efforts, it was not until the 18th century that any sort of critical inquiry was launched into the provenance of the *Zohar*, by R. Jacob Emden.³⁷ R. Emden in his work, *Mitpachat Sefarim*, did an exhaustive review of the entire corpus of the *Zohar* and came to the conclusion that at the very least, significant parts of the *Zohar* could not have been authored by R. Simeon ben Yohai. One of the proofs that he marshals is the very proof that until now had been used to demonstrate that the *nekkudot* were of early origin, namely the *Zohar*’s mention of the *nekkudot*. In the *Tikkunai Zohar* there is mention of the vowel note, the *kamatx*. R. Emden comments on it “this language is a clear proof that this is not written by R. Simeon ben Yohai, because it is known that the *Ba’alei haDikduk* are very late. They do not date to the *Tannaim*, nor even during the *Amoraim* or *Gaonic* periods as there is no mention of them, instead they are after the *Gaonic* period, in the countries of the East is where we find the first *Ba’al Dikduk*, R. Judah ibn Hayyuj³⁸.”³⁹ Thus, R. Emden has turned what the *Me’or Enayim* and others have used as the definitive proof to

³⁵ Y. Tishby, *The Wisdom of the Zohar*, Israel, 1957, vol. 1, p. 30 quoting *Sefer haYuchsin*, see page 28, note 2.

³⁶ R. Avraham Zacuto, *Sefer haYuchasin haShalem*, Filipowski edition, London 1857.

³⁷ For a general discussion regarding the various opinions and works written on the authenticity or lack thereof, of the *Zohar* see Y. Tishby, *supra* note 35 pp. 28-108.

³⁸ R. Yehudah ibn Hayyuj c. 945 – c. 1000 lived in Fez and was an early grammarian. See *Encyclopedia Judaica*, Jerusalem, 1994, vol. 7, col. 1513.

³⁹ R. Jacob Emden, *Mitpachat Sefarim*, Jerusalem 1995 p. 48, no. 185.

the antiquity of the *nekkudot* to demonstrate that this portion of the *Zohar* is a forgery.⁴⁰

R. Emden's attack on the *Zohar* did not go unchallenged. R. Moses Kunitz (1774-1837) published a response to R. Emden titled *Ben Yochai*. The purpose of this work was to demonstrate that the *Zohar* was written in its entirety by R. Simeon ben Yohai. What is truly fascinating is that nothing in R. Kunitz's biography would cause one to choose him as a defender of the authenticity of the *Zohar*.⁴¹ He was solicited by R. Aaron Chorin, a primary founder of the Hungarian branch of the Reform movement of Judaism, to write a responsum permitting various innovations. The fact that R. Kunitz allowed an organ in the synagogue is certainly indicative of his reformist tendencies.⁴² Putting his reformist tendencies aside, he

⁴⁰ Although R. Emden questions the authenticity of the *Zohar* by citing this passage discussing the *nekkudot*, R. Emden's opinion regarding the ancientness of the *nekkudot* is more nuanced. See R. Jacob Emden, *Migdal Oz, Beit Midot, A'liyot haKiteva*, Jerusalem 1993, pp. 465-472.

⁴¹ R. Kunitz is best known for his biography of R. Judah haNasi, *Toldot Rebbe Yehudah haNasi*, published in *Ma'aseh Chakhamim*, Vienna 1805. A portion of this was incorporated into the introduction of the *Tiferet Yisrael Mishnayot*, Romm editions and is called *Beit Rabbi*. However in the most recent reprint of the *Tiferet Mishnayot* it has been removed. See *Mishnayot Zekher Chanokh*, Jerusalem 2003. I assume the reason it was removed is due to his controversial association with Chorin and the Reform movement. However, in this latest edition, the publishers seem to have overlooked a much more controversial statement in their edition. There is an article titled, *Ma'amar 'al Dikduk Lashon ha-Mishna* that includes a footnote that argues that many parts of *Kohélet* were written later than the traditional dating. See p. 13b, note *. This has remained in the *Zekher Chanokh* edition.

⁴² See R. Fahn, *HaRav Moshe Kunitz, Reshumot* (Old Series) vol. 4 no. 6, p. 245- 280. This *teshuva* was published in E. Liebermann (editor), *Noga haTzedek*, Dessau 1818, pp. 27-28. Kunitz also wrote a *haskamah* to Chorin's work, *Emek haShaveh*, Prague 1803, Approbations, no pagination, a work in which Chorin attacked various *minhagim* (customs). This book was ordered burned. That decree was stayed when Chorin appealed to the government. See *Encyclopedia Judaica*, Jerusalem 1994, vol. 5, col. 495.

mounted a spirited defense of the *Zohar*. He addresses each of R. Emden's points and tries to refute them.⁴³

R. Kunitz specifically addressed the issue of the *nekkudot* and the dating of the *Zohar*. R. Kunitz marshaled the Talmudic passage that R. Hayyim Joseph David Azulai quoted in his discussion regarding R. Elijah haBahur.⁴⁴ However, as noted above, this is far from conclusive. Many commentators do not understand this to be referring to the *nekkudot*.⁴⁵ This again challenges our assumptions regarding who would be the one to defend the ancientness of the *nekkudot*, as here we have a reform-leaning rabbi defending the ancientness, while the champion of Orthodoxy, R. Emden, attacks. In fact, R. Simeon Sofer (1842-1906) writes that his father, R. Moses Sofer (Hatam Sofer) had wistfully hoped the authorship of these two works could have been reversed, i.e., with R. Emden defending the *Zohar* from the attacks on it by R. Kunitz.⁴⁶

R. Emden was not the last to cast doubt upon the antiquity of the *nekkudot*. R. Shmuel David Luzzato, *Shadal*, dedicated a significant portion of this work, *Vikuah al Hokmat haKabbalah*, to proving the post-Talmudic nature of the *nekkudot*.⁴⁷ *Shadal* was also a unique personality. His father was very interested in *Kabbalah* and instructed his son in this topic. However, *Shadal* soon began to have doubts about the *Kabbalah*. Finally, he abandoned his faith in the *Kabbalah*.

⁴³ Some question to what success he actually refutes R. Emden. See E. Rosenthal, *Yode'a Sefer* in M. Roest, *Katalog shel hebra'ikah ve-yuda'ikah*, p. 51, no. 289 where he claims that "all his [Kunitz's] words are worthless and they are totally ineffective, anything that is of value in the book . . . he has stolen from the *Seder haDorot*."

⁴⁴ R. Moses Kunitz, *Ben Yochai*, Vienna 1815, p. 96-97 *Maneh* 89.

⁴⁵ See note 28 above. Kunitz also marshals a passage from *Masekhet Sofrim*. However, he only selectively quotes the passage and in fact a reading of the entire passage lends nothing to this discussion. See R. S. Y. Rappoport, *Nachlat Yehudah*, Lemberg 1873 p. 27. This entire work is devoted to refuting R. Kunitz.

⁴⁶ M. M. Krangel, *Shem haGedolim haShalem, Shearit Tz'ion*, Podgorze 1930, s.v. *Zohar*.

⁴⁷ Originally he had this portion as a separate work but published it as part of his larger study of the *Zohar*. See J. Penkower, *Vowels and Accents, and the Date of the Zohar*, in *Italia*, Conference Supplement Series, 2 Samuel David Luzzatto The Bi-Centennial of His Birth, Jerusalem, 2004 pp. 79-130.

Although he was still rather young, this did not stop him from fully following his convictions. “In Nissan 1814 [he was fourteen at the time] not long after drawing his conclusions about the *Kabbalah*, his mother lay fatally ill with pleurisy (inflammation of the chest membrane). His father, a believer in *Kabbalah*, prayed in the appropriate *kabalistic* manner; however, he saw that his prayers were to no avail. He then thought that if his son, a pure lad, were to pray in the *kabalistic* manner, this would be of greater help. Therefore he instructed his son in the appropriate manner of prayer, to raise the soul through various Worlds, then to the *Sefirot*, and eventually to the Creator himself. *Shadal*, however, refused to pray in such a way – even though this was a request from his father concerning a life-threatening condition of his mother.”⁴⁸ *Shadal* explained that “I no longer believed in this creed and therefore could not pray in that manner [that his father wished].”⁴⁹ Lest one interpret this behavior as callous or showing a lack of feeling for his mother, *Shadal* goes on to say that, “he was the only one who would stay by his mother’s bedside with the utensil to catch the blood that she coughed up. The others would leave the room when she began coughing up blood, but he overcame his fear with the purpose of giving his mother hope and inspiration.” (*id.*)

In 1852 *Shadal* published his *Viknub al’ Hokmat haKabbalah*, which is set as a dialogue that runs over three days between him and a guest, debating the legitimacy of the *Kabbalah*. The last night’s dispute is focused on the *nekkedot*. *Shadal* basically rehashes many of the same arguments presented three hundred years earlier by R. Elijah haBahur. He does cite the *teshuva* of the *Gaon* found in the *Machzor Vitri* and also specifically refutes some of R. Moses Kunitz’s proofs.

As we have seen, this controversy surrounding the *nekkedot* has been fairly heated at times. Perhaps the most extreme example⁵⁰

⁴⁸ Penkower, *id.* at 83 internal citations and quotation omitted.

⁴⁹ *Id.* quoting *Shadal*’s autobiography, Hebrew edition, Shulvas, *Pirkei Hayyim*, New York 1951 p. 21.

⁵⁰ There are other examples of rather unconventional views. For example see R. Jacob Bachrach, *Istadluscha im Shadal*, Warsaw 1896, vol. 1 pp. 76-83 where he argues that the passage from the *Machzor Vitri* is actually a forgery.

I have not attempted to cite every source that discusses this issue. For further examples see, Isaac b. Sheshet Perfet, *Teshuvot Ribash*,

of this is R. Shlomo Schick (d. 1916).⁵¹ He devoted his entire commentary on the Torah, *Torah Shelemah*, to disproving the thesis of R. Elijah haBahur. As he states on the title page, “*Torah Shelemah* an explanation and commentary to the five books of the Torah. With proofs as clear as day that the Torah is from heaven and that the *nekkudot* and *ta’amim* we have received from Sinai . . .”⁵² Indeed, in his introduction, he takes R. Elijah to task for espousing his thesis. However, he does not stop his attack at just the facts, instead he personally attacks R. Elijah. “And it was in the days of **Elijah haBahur** when the leaders of Christianity saw that Islam was becoming stronger and was becoming stronger than it, and the Jews, believers the sons of believers in the ancientness of the *nekkudot* and therefore they had no means to turn them [the Jews] to Christianity, what did they do? They went and found a Jew that was not that learned and not that knowledgeable, and Torah his livelihood he would be willing to sell for a bowl of lentils to the Christian wise men . . . **Elijah haBahur**, *rasha* he is to be called, he has no portion with the Jewish people!”⁵³ R. Schick goes on to allege that R. Elijah actually converted to Christianity.⁵⁴ As a whole, it is apparent that R.

Constantinople 1547 no. 284; R. S. Archivolti, *Arugat ha-Bosem*, Venice, 1602, chapter 26, pp. 90a-92b; R. E. Mehlisack, *Sefer Ravyah*, Ofen 1837, pp. 30b-33b; R. Jacob Bachrach, *ha-Yaba's la-ke'etav ha-Ashuri ule-toldotav*, Warsaw 1854; I. Weiss, *Dor Dor v'Dorshav*, Berlin 1914 vol. 4, pp. 254-263.

⁵¹ What is of interest again is that one would not necessarily assume that R. Schick would take this view. He was considered a moderate between the Ultra-Orthodox and the Neologes or Reform in Hungary, although it appears that contemporaries do not view R. Schick as religious enough. A recent edition of R. E. Levita's *Sefer haTishbi* includes the criticisms of R. Schick on the *Sefer haTishbi*. However, there are actually two editions of this book, one that includes R. Schick's criticisms but does not include the approbation of *Edab ha-Haredit* and a second edition that does not include R. Schick's criticisms but does contain the approbation of the *Edab ha-Haredit*. See R. E. Levita, *Sefer haTishbi*, Bnei Brak, 2005.


⁵² R. S. Schick, *Torah Shelemah*, Satmar 1909, title page.

⁵³ *Id.*, Introduction, no pagination.

⁵⁴ This was not a new allegation. During his own lifetime there were those who claimed that he converted to Christianity. However, R. Elijah himself says that this is false. “This is the rule that you should take, I fully admit, as one admits in front of a real *Bet Din*, that I was a teacher

Schick had strong feelings regarding R. Elijah and his position on the *nekkudot*.

C. Conclusion

In conclusion, there is a fairly significant and long-running debate regarding the dating of the *nekkudot*.⁵⁵ This debate also implicates the dating of the *Zohar* and perhaps, for this reason, it engendered so much of a storm. Importantly, we have seen that many people defending the traditional view do not necessarily conform to preconceived notions, nor is a single view dispositive. There are many views offered and some of those views, while indisputably held by authorities placed in the traditional camp, do not correspond with our notions of Orthodox Judaism today. In fact, the bearers of these non-traditional views do not mechanically accept as dogma some widely held beliefs. Instead, they are willing to critically examine any hypothesis, including, in this instance, the dating of a central text of Judaism, the *Zohar*. The ultimate question that must be asked is why *did* all these people go against the grain? Perhaps the answer is actually elementary. All of these people were working towards a goal, although not the goal that we would necessarily associate with them. Instead, they were working towards the goal of Truth; a goal that perhaps we should all work towards.⁵⁶ 

to non-Jews . . . However, know that even so, I pray to a Jewish G-d, and it is *Elokim* that I fear, the creator of heaven and earth.” Second Introduction to *Mesorat ha-Masorat*, *supra* note 16.

⁵⁵ The status of this debate is far from settled. However, as a historical note, the Dead Sea Scrolls do not contain any vocalization, thus tending to support the position of R. Elijah. See Tov, *supra* n. 4, p. 40.

⁵⁶ This paper is dedicated to the memory of my father-in-law, Melvin Rishe, Meir ben Mordechi Joseph, who himself embodied this noble concept of always setting aside biases and instead devoting himself to the pursuit of truth and knowledge.

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