twelve consecutive verses began with ורָאָר, and that according
to some Tikkunim all twelve verses began a Closed Section,
including Deut. 27:20. Therefore he preferred to follow these
Tikkunim rather than the seemingly illogical decision of Maimonides which required no Section at Deut. 27:20, with the
result that only eleven of the twelve begin a Section.¹⁴

The text of Maimonides’ list continued to be transmitted
as in Lipman-Muehlhausen’s Tikkun which fully agreed with it:
13 catchphrases and the total of 13, including
Deut. 27:9, 11 and eleven verses, exclusive of Deut. 27:20.
At the same time, the deviating system, mentioned and perpetuated by Meiri also remained in use. This can be seen from A.
Hasan’s Iggereth Ha-Soffer. Writing in Salonika (towards the end of the first quarter of the sixteenth century)¹⁵ and originally addressing himself to R. Elijah Mizrahi, Hasan, the scribe appointed to correct the Torah Scrolls in Salonika, discussed some problems in writing a Torah Scroll according to

⁴ In his Iggereth Ha-Soffer, Hasan states that all the important printed editions from Lisbon, Italy, Venice, and Constantinople spell נָלְדָה defective in Num. 7:1, (see note 11 above: Hasan, Iggereth, Ha-Segullah, no. 54, p. 5 = Sefunot 11 (offprint 1973 = 1977) 213). This dates the Iggereth somewhere between 1516 (the date of the first printed Pentateuch edition in Venice; cp. C. Roth, The History of the Jews of Italy, Phila. 1946, p. 225) and 1525 (the date of publication of Jacob b. Hayyim’s Rabbinic Bible, printed in Venice, which spells נָלְדָה plene). Cp. also M. Benayahu, Sefunot 11, p. 190.
Halakhah, including whether there is a Section at Deut. 27:20. He noted that though some scrolls contradicted the accurate copies of Maimonides' Code and had a Section at Deut. 27:20, surely one should have no Section there, since one was to follow Maimonides' halakhic decision. Referring to Meiri's decision, Hasan implied that Meiri, who explicitly opposed Maimonides, was responsible for perpetuating this non-halakhic tradition.

Later, in Karo's Kesef Mishneh, we hear of a ms of Maimonides' Code with fourteen catchphrases and the total of fourteen, including Deut. 27:20. It was this type of Code with fourteen catchphrases (in conjunction with the conflicting Bible mss) which prompted the question to R. Elijah.

Discussing Deut. 27:20 in Or Torah, Lonzano pointed out that logic was with Meiri, but that in these matters tradition and not logic was of prime importance. Lonzano was bothered by the fact that he could not simply dismiss Meiri's evidence as a late opinion. He noted that three old Torah Scrolls had a

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75 Iggereth Ha-Sofer, Ha-Segullah no. 53 p. 4, no. 54 pp. 6,7 = Sepunot 11, pp. 211, 215, 216.
76 Ib., p. 6 = Sepunot 11, p. 215. ...ולפיו רצה והיהו „ויל“... הנעותות המפורשות אינן אלא ק"א (”אוריים מה用工כם פורשים”), ובכרות הכתובות והסבל עט הפורדים כלולים, שמעוני (”אוריים”), ושלא אל נטש שיריהו: אתי Laden אל כל עולם גם סבורה הכתובת והכתובה. ... إحלא דעי ויבא ויבא... והשאלו מה שאר עולם... ובשפיים ש לכתוב משני... מה שאר עולם... והשאלו מה שאר עולם... ובשפיים שכתובים והם מפורשים... באתי Laden אל כל עולם גם סבורה הכתובת והכתובה. ... Note that by mentioning that the accurate copies of Maimonides' Code had no Section at Deut. 27:20 and by further supporting this with testimony from Meiri (ib., p.7 = ib., p.216), Hasan apparently implied that he had seen other copies of the Code with a variant reading, i.e. with a Section at Deut. 27:20.
77 Ib., p. 7 = Sepunot 11, p. 216.
Section at Deut. 27:20. However, he decided on the basis of Sefardi Scrolls and Meiri's own testimony that Maimonides required no Section at Deut. 27:20. Unlike Meiri, Lonzano accepted the opinion of Maimonides (and that of Abulafia who followed him), and thus the Ben Asher Codex, as representing the correct tradition of sectional divisions. 78

Evidence from Spain, France, Prague, and Salonika from the thirteenth to sixteenth centuries, distilled from an analysis of pertinent literature, has shown that Maimonides' original decision required no Section at Deut. 27:20. Some copies of the Code, however, exhibited a variant, requiring a Section there.

This result is borne out by an examination of the mss of the Code: M1,M2,M3,M4,M6 have no Section at Deut. 27:20, thirteen catchphrases and the total of thirteen. M5 also has no Section at Deut. 27:20, and accordingly has thirteen catchphrases and the total of thirteen. However, just as in example one, we find a correction in this ms which changes the original reading both with respect to the catchphrases and the total. In the margin of M5 the catchphrase of Deut. 27:20 was added -- וַיְרָאָר שָׂכָב עַד יָמִין, and in the text the total was corrected accordingly from thirteen to fourteen: וַיְרָאָר יִשְׂרָאֵל.

Once again we see that R. Elijah and Lonzano were correct. Deut. 27:20 originally was not included in Maimonides' list.

Various copies of the Code were, however, corrected according to Biblical mss of the type quoted by Lonzano, Meiri, and Ħasan

78 Curiously enough, Lonzano disregarded his own pronouncement, and, on the basis of logic, decided in Deut. 32 against the opinion of Maimonides, that the word דִּיוֹן should begin the 23rd hemistich and not end the 22nd hemistich (Or Torah, p. 25a).
to include Deut. 27:20, and accordingly to give the total of fourteen. This latter variant entered printed editions of Maimonides' Code, and was also to be found in Jacob ben Hayyim's Rabbinc Bible.

It follows that the apparent contradiction between Maimonides and A was in fact no contradiction at all. A closer reading of R. Elijah's responsum established that there was no Section in A at Deut. 27:20, and an examination of the halakhic literature and the mss of the Code proved that Maimonides' original decision agreed with that.

In all three examples discussed, Maimonides' list and A's sectional division concur. In other words, A could have been the source for Maimonides' list.

In fact, example three takes us one step further. Its full significance becomes apparent when we summarize our discussion. We have shown that according to Maimonides' decision based on a BA Codex, there is no Section at Deut. 27:20. Yet, in all the BA type mss known, LL^1_1, L^3_2, L^9_3, L^16_4, Deut. 27:20 begins a Section. There was, however, extant one and only one BA manuscript which did not have a Section here, against logical considerations, namely A, as testified to by eyewitnesses in the sixteenth century. This unique correspondence proves that the BA manuscripts upon which Maimonides relied for his Section list was the Aleppo Codex.
IV Lev. 7:22-23

Seventy-one verses in the Pentateuch begin with the words 'ולְכֶלֶת שְׁלֹשָׁה.' One more of this category is found in Deut. 32:48 – ולְכֶלֶת שְׁלֹשָׁה. Seventy-one, including Deut. 32:48, begin a Section. One would logically expect that the remaining verse would also begin a Section. This is indeed the case in the BA type mss. בָּלָּא בָּלָא. We have no direct evidence pertaining to A on this verse, but an analysis of Maimonides' decision here will prove to be of help.

From Meiri we learn that one of six consecutive catchphrases in Maimonides' list indicating Open Sections was applicable to either Lev. 7:22 or 7:28, and that Abulafia applied it to

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80 If we were to rely on the majority in Maimonides' Code, we would expect an Open Section. For in the Code, 62 of the 71 cases begin Open Sections, with only 9 beginning Closed Sections (Ex. 6:29, 31:1, Lev. 5:14, 22:26, 23:26, Num. 8:23, 16:23, 17:1, 17:9).

81 In all, Lev. 7:22 begins an Open Section, except for ל in which it begins a Closed Section. However, in B, a sixteenth century corrector changed the Open Section to no Section by adding the word לְכֶלֶת in the space between the Sections. Cp. above example two, n. 44.

82 Cp. Meiri, Kiryat Sefer II, pp. 63a, b, in particular his comments on הָלָּא. He says that Lev. 7:22 appears to have no Section according to Maimonides' Code, but is rather the continuation of the preceding Section. Meiri adds that perhaps it is the beginning of the Section which includes Lev. 7:28.
Lev. 7:28. In other words, Meiri found no Section at Lev. 7:22 in Abulafia's Torah Scroll. He, nevertheless, states that all the Tikkunim had an Open Section there. As in example three, Meiri again rejected the witness of Abulafia's Torah Scroll and of Maimonides' Code on the basis of logic and, backed by ms evidence, decided in favor of an Open Section both at Lev. 7:22 and at Lev. 7:28. Discussing the ambiguous catchphrase in Maimonides' list, Meiri writes in Kiryath Sefer ad Lev. 7:22:

Perhaps it is a Parshah Sedurah, for it is not reasonable to say that a paragraph that begins with a divine address to Moses should not be preceded by a Section space, whether of an Open or a Closed Section, or a Sedurah. In any event, I have found (that Lev. 7:22 begins) an Open Section in all the Tikkunim, and I have ruled that it should so be written in my Torah Scroll.

These cases of ambiguous catchphrases in Maimonides' Code were no doubt solved by Abulafia according to the Bible ms available to him. We note that the Yemenite Tikkun Soferim published by Gaster, or its source, misinterpreted this ambiguous catchphrase. That Tikkun has no Section at Lev. 7:28, but has a Section at Lev. 7:22. The marginal notes, however, point out that this order is to be reversed (Gaster, The Titled Bible, p. 224; see n. 44).

K.S. II, p. 63a. According to Meiri's definition in Kiryath Sefer I, p. 51, refers to a Section which was preceded by a space similar in form to the space preceding an Open or Closed Section, as defined by Maimonides, but whose size was less than the minimum number of letters required for the space preceding an Open or Closed Section. According to Meiri, a space of nine letters was required before both an Open and a Closed Section. Meiri even required a space of nine letters at the beginning of a line preceding a Closed Section which was antecedent by a space in the form —
This manuscript situation described by Meiri is corroborated by one of his contemporaries, R. Meir Ha-Kohen (latter half of the thirteenth century), a pupil of R. Meir of Rothenburg and the author of Hagahoth Maimunioth (=HM), notes on Maimonides' Code. On the catchphrase in Maimonides' list which could refer either to Lev. 7:22 or Lev. 7:28, HM comments:

There are two of them and I have checked all the exemplary codices, and I found that both are Open Sections. (Therefore) I am of the opinion that we have here (in Maimonides' list) a scribal error. Even though the totals agree perhaps they were adjusted to the error. Indeed I found in the Tikkun Sefer Torah written by the expert R. Joseph Nakdan who copied from Maimonides' list, that both Lev. 7:22 and 7:28 are included as Open Sections, and that in the total(s) at the end of the Pentateuch he added (accordingly) one more Open Section. However, he also added one Closed Section, and I have not checked to which Section it referred.\textsuperscript{44a}

\textsuperscript{44a} It appears that at least in some cases a פרשה סירורה, as defined by Meiri, resulted from an attempt to harmonize conflicting Section-division traditions; cp. Kiryath Sefer II, p. 27b, where Meiri notes that he found in French and German Tikkunim and in an accurate book, that Gen. 7:1 began a Section, contrary to Maimonides' opinion and Abulafia's Torah Scroll (no Section). He then suggests: וליכ על פנים רבים של כתוב רוח כהיר פרשה סירורה בין האלוהים פסיקה על פי מה שכתב מחבר תקנית המיתוגים מאמר פסיקה אונס מיתוגים. "Therefore I am of the opinion that there should be a small space (preceding Gen. 7:1) as required for a Sedurah Section. And it is not to be reckoned [among the Open and Closed Sections]"; similarly ad Gen. 39:7, K.S. II, p. 39a. On Sedurah, see further Goshen-Gottstein, Textus I (1960) p. 56 n. 108, I. Yeivin, Textus VII (1969) 93-94.
Maimonides and the Aleppo Codex

Thus, HM notes that even though there is only one catchphrase, referring either to Lev. 7:22 or to Lev. 7:28, one should in fact make Sections in both instances, as found in the accurate books which he examined and in the Tikkun of R. Joseph the Nakdan. HM's decision clearly contradicted the very ms of Maimonides' list on which he based his comment. However, assuming that those Biblical mss and Joseph Nakdan's Tikkun preserved Maimonides' original decision, HM concluded that his ms of the Code was mistaken. Therefore, one was to correct it on the basis of the accurate Biblical mss which no doubt reflected Maimonides' original opinion.

In our case, HM actually suggests that what he considered to be a mistake in Maimonides' list simply resulted from a scribal error, viz. haplography. Some scribe by mistake, had omitted one of the two identical catchphrases (Lev. 7:22, 28). HM further had to assume that the consecutive Section total of six had been adjusted to the omission, and that the final totals of Open and of Closed Sections at the end of Leviticus and the Pentateuch had also been adjusted. In order to show that the assumption of such methodical harmonization was not sheer hypothesis, HM quoted R. Joseph Nakdan's Tikkun which had both catchphrases and whose final totals agreed with the "original" reading.

However, others who dealt with Maimonides' list were not satisfied with HM's approach. Discussing this problematic catchphrase and HM's opinion and reasoning, Lipman-Muelhausen remarked in his Tikkun that it is not logical to assume (even if there had been an omission due to haplography) that the subsequent
harmonization had been as methodical as HM thought. Furthermore, since all the old and reliable mss of the Code which Lipman himself had collected concurred in the number of six consecutive catchphrases and the total of six, including either Lev. 7:22 or 7:28, it was unlikely, Lipman reasoned, that haplography and subsequent harmonization would have occurred independently in so many witnesses.  

Concluding that originally there were only six catchphrases, Lipman proceeded in the opposite direction of HM and explained why R. Joseph Nakdan had included both Lev. 7:22 and 7:28 in his Tikkun. R. Joseph found that one of the original six catchphrases in Maimonides' list was ambiguous. Therefore, he turned to the Bible mss to determine whether Lev. 7:22 or 7:28 was intended. However, the mss were only a source of perplexity since they had (Open) Sections in both instances. Unable to decide which of the two was meant, R. Joseph included both. We may add parenthetically that such reasoning could hardly explain the variant in our first example where later lists omitted one catchphrase. However, basically Lipman's reasoning was correct. The text of Maimonides' Section list had been changed in some places, in agreement with Bible mss which conflicted with it.

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86 והוא יקלע על החתיה שלמה שחלสื่อו סופר בכלל (ib.). Similar reasoning was later used by Lonzano, as we shall see further on, and by R. Shabbethai Ha-Kohen, Siftei Kohen (infra n. 119).  

87 "חיתוך ספר תורה", p. 255.
The tradition of the Bible mss with seven Sections, i.e. including both Lev. 7:22 and Lev. 7:28, entered various mss of Maimonides' list and continued to be transmitted, as can be seen from Karo's comments in Kesef Mishneh. He notes that the text of the list has seven catchphrases and the total of seven and that this agrees with HM. However, in accord with a corrected copy of the Code, Karo instructs the reader to remove the fifth (Lev. 7:22), thereby leaving six catchphrases, and to change accordingly the total to six. Thus, Karo's opinion of the original text of Maimonides' list and the subsequent development was the exact opposite of HM's hypothesis.

Lonzano who followed Maimonides' opinion even against logic, as we saw in example three, here too polemicized against Meiri and HM. Meiri was taken to task because he dismissed Maimonides' decision on the basis of logical considerations, backed, though, by mss evidence. HM was censured because he corrected the text of Maimonides' decision on the basis of his own reasoning, again backed by mss.

\*\* Op. Lonzano's rather lengthy discussion in Or Torah, ad Lev. 7:22. Norzi, Minhät Shai, ad loc., brings the facts in succinct form and notes that the first part of Lonzano's remarks is devoted to HM (pp. 14a, 14b top); the second to Meiri (pp. 14b bottom, 15a top).

In reference to Meiri's opinion Lonzano remarked that logic was not the decisive factor in these matters (pp. 14b, 15a):

אָכְלָא הָתָנֶהוּ הַתָּנֶהוּ מְסְכַּנָּהוּ. לֹא עָשִׂי לְאִלָּא לְעָשָׂה שֵׁל אֶפֶסְקָה מֶנֶּה. וְלֹא לֵפִי עָשָׂה שֵׁל אֶפֶסְקָה מֶנֶּה. And added: To this Meiri no doubt would have replied: לְכִי אֵין שֵׁל הַעַשָּׂה שֵׁל אֶפֶסְקָה מֶנֶּה. Lonzano attempted to show on the basis of logic that Meiri was inconsistent in his reasoning. Lonzano argues that the right אֶפֶסְקָה also begins an אֵילָה, and that Meiri agreed that (against logic) Ex. 6:1 does not begin a Section; why then, according to Meiri, should 'וְיֵלֵדָה of Lev. 7:22 necessarily
Lonzano realized that our verse presented a problem and that Maimonides' decision was not so clear. On the one hand, Meiri's text of the Code, Abulafia's Torah Scroll, the ms upon which HM commented, and Karo's corrected copy of the Code gave evidence that Maimonides' decision was - no Section at Lev. 7:22; this was corroborated by ten Sefardi Scrolls which Lonzano took to represent Maimonides' rulings. On the other hand, it was possible that the Bible mss which had a Section at Lev. 7:22 (and Lev. 7:28) and which could not simply be dismissed as late, preserved Maimonides' original decision. Lonzano cited three accurate Torah Scrolls, the Hillel, Egyptian and Jerusalem mss, Meiri's Tikkunim, and the scrolls of HM all of which had a Section at Lev. 7:22 (and Lev. 7:28). This was corroborated by two mss of the Code which Lonzano owned, and the text of Karo's copy of the Code, before correction.

Lonzano reasoned that the original text had six Sections, omitting Lev. 7:22. He assumed that the Sefardi ms represented the tradition of Maimonides who had relied on one BA manuscript. Contradictory evidence from other Torah Scrolls, therefore, was

begin a Section? We note, however, that verses which open with 'ה י do not follow the same consistency as those opening with 'in respect to beginning new Sections.

Lonzano's query (p. 14b), why Meiri rejected Maimonides' opinion on Lev. 7:22, but accepted it on Lev. 25:35 (חילזון ל), despite contradictory evidence, (cp. Kiryath Sefer II, p. 70), has a simple answer. Meiri followed Maimonides where logic led him. Since Lev. 25:25 and Lev. 25:39 open with חילזון ל and begin Sections, one would expect also Lev. 25:35 which opens with חילזון ל to begin a Section.
of no account in determining Maimonides' opinion. Lonzano realized that under certain conditions the authenticity of conflicting texts of the Code could be checked. In the case under review, he found that both his mss which had seven catchphrases and the immediate consecutive total of seven (Section at Lev. 7:22), had the same final totals in Leviticus and in the whole Pentateuch as the mss of the Code with six catchphrases and the total of six. As these final totals were consistent with the six catchphrases, it was clear that seven was the secondary reading. (We recall that this type of argument was used earlier by Lipman against HM.) The scribe who harmonized the immediate total with the new number of catchphrases did not bother with the final totals. HM indeed had made one assumption too many.

An examination of the mss of the Code shows that the reasoning of Lipman-Lonzano and their decision were correct. Mss M' and M have six catchphrases and the total of six, with the fifth catchphrase phrased ambiguously - referring either to Lev. 7:22 or 7:28. Though reflecting an original text of six catchphrases, M displays the

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99 לימים שלמה (חרמה שבת שכר מלין) חתתיך של חמשת רכבים נזכרים, ונסיך ובונדה בדקדוק מ Arbitrary catchphrases, אונימי חתתיך אל מי שופר (ספירה מפריד) החתות פברונים...רוחה אליך שלך, לסך את חמשת רכבי חמשת חמשת שופר בדקדוק, ונסיך ובונדה יشبهו על כל חמשת שופר, ונסיך ובונדה עד חמשת שופר, והם מכילים לאריה מפריד (Or Torah, p. 14b). For this reason Lonzano also attempted to show that the mss which HM used here were not of Sefardi origin (ib., pp. 14a, b).

90 With inconsequential differences: נ וריבר דבדר מ, ככץ י срав.
carelessness of the scribe in transmitting the catchphrases of these consecutive Sections, as in example two. We find in his text the total six but only three catchphrases. The discrepancy was later corrected by adding the three missing catchphrases in the margin.91

M⁶, like M⁵M³M⁴ and the Vorlage of M⁶, also has six catchphrases; and the ambiguous fifth catchphrase now reads:

91 The corrector put a sign in the text over the word הבין and added in the margin: א 아마 ראתה ויתר שלוש ראתת ויתר שלוש השלימים ריחר ריחר אלה אל כנמי. The text of M⁶ and the marginal note together then read: ריחר זה קרוב (Lev. 6:12) אאם (6:17) ראתה ויתר שלוש ראתת ויתר שלוש השלימים (7:11) ראתה ויתר שלוש (7:22 or 7:28) ריחר דריבר אלו בנלי [ canlı売り] (8:1). The scribe obviously skipped from ריחר דריבר אלו בנלי to [לארלי] דריבר אלו בנלי by way of a homoeoteleuton. Cp. M⁶ in example two.

The scribe of M⁶ was in general (and not only in examples two and four) careless in transcribing Maimonides' Section list. E.g., he listed the eight catchphrases Num. 29:7, 12, 17, 20, 23, 26, 29, 32, and then concluded: הביןشعפעי כלו ד שמקנה ferm, thus including the ninth catchphrase Num. 29:35. However, under the influence of the above eight catchphrases, in particular the latter six (cp. also the beginnings of the five catchphrases before these eight), he read הבים, prefixing a waw to מילתל. He also left out the total nine, and simply wrote - בכלו ש מקנה. The catchphrase which follows these nine in M⁶ is Num. 32:1, also written erroneously - שמקנה instead of שמקנה.

Finally, a check with Maimonides' list shows that the scribe skipped no less than five catchphrases: two Open (Num. 30:2, 31:1), and three Closed Sections (Num. 31:13, 21, 25). All these errors (except שמקנה) were later corrected in a note in the margin of M⁶, opposite the sign which the corrector placed in the text: והש שארץ (31:1) ריחר (Num. 30:2) והש שלוח (31:13) והש שלוח (31:21) והש שלוח (31:25)
which can only refer to Lev. 7:28. However, we find a correction in this ms which changes the original reading both with respect to the catchphrases and the total (as in examples one and three). In the margin of M⁵, a catchphrase was added, no doubt of Lev. 7:22, perhaps reading וְדוֹרָהַ הַלְּכָּל חָלָק⁹¹a and in the text the total was corrected accordingly from six to seven: [עַ]שׁ < (שַ)שָּׁה.

It is to be noted that although the corrector of M⁵ harmonized the immediate consecutive total according to the change in catchphrases, he did not alter the totals at the end of Leviticus, nor at the end of the Pentateuch.⁹² Due to a ms of this type, Lonzano found ms of the Code whose text had seven catchphrases and an immediate total of seven, yet whose final totals assumed a text of six catchphrases.

⁹¹a A recent re-checking of the M⁵ microfilm (on a new machine) shows that the scrival note is indeed the catchphrase of Lev. 7:22. The exact phrase, a bit different than my earlier suggestion, reads: [וְוַיַּכְּרְבֵם אֶל דָּבָר].

⁹² M⁴ M⁵ M⁶ M⁷ M⁸ agree on the number of Open and of Closed Sections, and their total in each pentateuchal book (M⁶ no longer preserves the totals at the end of Genesis). Similarly, they all agree on the number of Open and of Closed Sections, and their total in the entire Pentateuch. In particular, M⁵ and M⁶ agree with M⁴ M⁵ M⁶ M⁷ with respect to all these 18 sums; M⁵ has not harmonized the final sums for any given book, nor for the entire Pentateuch.

The correct 18 figures are as follows:

<table>
<thead>
<tr>
<th></th>
<th>Open</th>
<th>Closed</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gen.</td>
<td>43</td>
<td>48</td>
<td>91</td>
</tr>
<tr>
<td>Ex.</td>
<td>69</td>
<td>95</td>
<td>164</td>
</tr>
<tr>
<td>Lev.</td>
<td>52</td>
<td>46</td>
<td>98</td>
</tr>
<tr>
<td>Num.</td>
<td>92</td>
<td>66</td>
<td>158</td>
</tr>
<tr>
<td>Deut.</td>
<td>34</td>
<td>124</td>
<td>158</td>
</tr>
<tr>
<td>Pent.</td>
<td>290</td>
<td>379</td>
<td>669</td>
</tr>
</tbody>
</table>
We once again see that Lonzano's decision was correct. There were only six catchphrases and the total of six. Lev. 7:22 was not included in Maimonides' original list. However, due to the influence of Bible mss such as quoted by HM, and of Tikkunim of the type adduced by Meiri which conflicted with Maimonides' decision, the texts of various mss of the Code were corrected to include Lev. 7:22 with the resulting total of seven. Unlike our first three examples, the secondary reading did not enter the printed editions, nor did the Bomberg Rabbinic Bible have a Section at Lev. 7:22.

Maimonides' decision not to have a Section at Lev. 7:22 stands alone, against logic and against the testimony of the BA type Mss. BLL13L16SS1. It appears that it was solely the ms of BA himself upon which Maimonides based his Section list.

We suggest that as in example three (Deut. 27:20), the Aleppo Codex no longer extant for Lev., here too, was the source of Maimonides' unique decision. Although all the BA type mss exhibited a Section which agreed with logical considerations, only Maimonides required no Section here, like there, concurring exclusively with the Aleppo Codex.

To sum up; the apparent contradictions between Maimonides and the Aleppo Codex, with respect to sectional divisions in the Pentateuch, in fact are no contradictions. They arose from

There are five exceptions to these figures in M1-M4, all of which are scribal errors:

M4 has at the end of the Pentateuch: 290 Open + 399 Closed =669.
M3 has at the end of the Pentateuch: 290 Open + 379 Closed =666.
M2 has at the end of Exodus : 69 Open + 95 Closed =164.
M1 has at the end of Exodus : 69 Open + __ Closed =164.
M1 has at the end of Numbers : 92 Open + 96 Closed =188.

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incorrect information about Maimonides' original decision\textsuperscript{93} or about the Aleppo Codex. Furthermore, Maimonides' list contained at least two unique sectional divisions. In both, and against logical expectations, Maimonides did not require a Section whereas the BA type mss known to us had it. According to eyewitness reports, one decision concurs with the Aleppo Codex. Although lacking corroborative reports for the other decision, we suggest that it too points to the Aleppo Codex. In the absence of contradictory evidence, we conclude that the Ben Asher manuscript which was the basis of Maimonides' Section list was the Aleppo Codex.\textsuperscript{94} This conclusion tallies with Goshen-Gottstein's studies concerning Maimonides' decision with respect to the Song of Moses (Deut. 32). Maimonides' layout contrasts with all the known BA type mss, and uniquely agrees with the Aleppo Codex. Therefore, only A could have served as the basis for Maimonides' decision.

\textsuperscript{93} In the light of our study, Cassuto's doubts that the Aleppo Codex served as Maimonides' source -- doubts which were based particularly on contradictions between A and the Code with respect to the Open and the Closed Sections -- can similarly be dealt with. Cassuto's information was inaccurate, being probably based on printed editions of the Code which did not always preserve Maimonides' original Section decision, as was already suggested by S.D. Goitein, \textit{Homenaje a Millás-Vallicrosa} I (Barcelona 1954) p. 716 n. 23. Cp. also Goshen-Gottstein, 
\textit{Biblical Archeologist} 42 (1979) 156 c.

\textsuperscript{94} For n. 94, see pp. 124-125.
APPENDIX A

The Tikkun Soferim (TS) in Cracow and R. Joseph Karo

Weisman stated in his second report on the origin of the TS that, according to 'tradition', it was R. Joseph Karo who sent the TS (in 1570) to R. Moses Isserlis. This 'tradition' with the detail about Karo became 'actual fact' in subsequent literature. When reviewing the episode about Isserlis and the TS four years later, Weisman himself wrote in the note of 24 October 1861: No longer do we find the qualifying בֵּפֶר הַכֹּלֵלָה. It can be shown, however, that Karo did not send the TS to Isserlis:

1. Karo would have sent the TS to serve as a model only if he considered it to be authoritative, reasoning that since it had the colophon of BA, it either was the BA codex or a copy of it,

[The text continues with references and footnotes, which are not transcribed.]

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mentioned in Hilkhot Sefer Torah 8:4 by Maimonides whom one was to follow in writing a halakhically correct Torah Scroll.

2. There is no mention of such a Tikkun in any of Karo's halakhic works - Beth Yosef (1550-1, 1553-9), Shulhan 'Arukh (1565), Kesef Mishneh (1574,5) - or in his responsa. Had Karo known of the TS and had he deemed it to be authoritative, he certainly would have made reference to it.97

3. Karo does not even allude to the TS in Kesef Mishneh (1574-75), his commentary on Maimonides' Code. Yet only four years earlier, in 1570, he allegedly sent the TS to Isserlis because its colophon implied that it was the source (or a copy of it) upon which Maimonides relied.

4. Weisman reported two of the Tikkun decisions: a sectional division at Ex. 8:1, and no Section at Ex. 20:14b. Karo has no explicit comment on the latter in Kesef Mishneh, even though Maimonides' list had a variant here (example one). Since the printed editions also had no Section, we may assume that Karo agreed here with the TS. Karo has, though, a comment on the former. Against the correction of the נינא 'ס which he followed in two other cases (examples three and four), he surprisingly sided with the reading which required a Section at Ex. 8:1.

Thus both of his decisions were in agreement with the TS. Yet, as the basis for his explicit ruling on Ex. 8:1, he cites a printed edition of the Pentateuch98 and not the TS. Had Karo sent the TS to Isserlis to be used as a model copy, he surely

97 Cp. Dotan, Tarbiẓ 34 (1965) 152, but see our remarks at the end of Appendix B.

98 Cp. n. 48 for Lonzano's comment.
would have cited the TS and not a printed edition as proof of Maimonides' decision.

We conclude that Karo never sent the TS which served as a model copy for scribes – and which in 1857 was in the Isserlis Synagogue in Cracow.
APPENDIX B
The Tikun and Safed

In the first report about the TS, Weisman simply stated that the Tikun was bought by Isserlis from Safed in 1570,” without referring to Karo. We shall now proceed to show that the TS could well have been in Safed in the sixteenth century.

The route Constantinople-Aleppo-Safed was known to Jews in the sixteenth century. In particular it was travelled by Jews who were expelled from Spain, and by Jews who lived in the Land of Israel and Turkey, as is evidenced by the following facts:

1. R. Samuel Ibn Benvenisti ben Yoḥai, a Safed scribe, and apparently the official emissary of the Yeshivoth of Safed, in 1504 went on his first trip on their behalf to Aleppo and the surrounding territories. On his second trip, he went to Turkey.

2. R. Levi Ibn Ḥabib, the famous opponent of R. Jacob Beirav of Safed, arrived in 1522, via Constantinople, in Aleppo where he studied for some time with learned Jews. Later he

99 Cp. n. 52.


102 Cp. Rosanes, ib., p. 146, citing Responsa of R.L.b.H., no. 45 (= p. 33, col. b). I am following Rosanes, ib., p. 157 and p. 173 n. 100 as to the date ל"ע for R. Levi leaving Salonika, reaching Constantinople and later Aleppo. (On p. 146, Rosanes gave ל"ע as the date of R. Levi’s departure from Salonika.)
went to the Holy Land, spent a short time in Safed and then settled in Jerusalem.\textsuperscript{103}

3. A contemporary of Ibn Ḥabib, R. Shlomo Ḥazan who had converted because of the persecutions, returned to Judaism when staying in Turkey. Later he travelled to Aleppo and from there proceeded to Safed. During the Semikhah Controversy, Beirav sent Ḥazan to Ibn Ḥabib in Jerusalem.\textsuperscript{104}

4. In the sixteenth century, Jewish merchants from Constantinople passed through Safed where they sold their goods or exchanged them for wares which they then sold in Aleppo and Egypt.\textsuperscript{105}

5. In the sixteenth century, there was in Aleppo an older Jewish community of Must'arabim, Arabized Jewish settlers of the Middle East, and a separate community of Jews expelled from Spain.\textsuperscript{106}

Therefore, it is not surprising that in sixteenth century Constantinople, R. Elijah b. Ḥayyim reports information concerning the Aleppo Codex from eyewitnesses who actually had

\textsuperscript{103} According to Rosanes (ib., pp. 157-8), Ibn Ḥabib was in Jerusalem first in י"ת and then in י"ת. He cites (ib.) the Responsa of R.L.b.H., no. 124 (= p. 25 (second pagination) col. d), assuming that its date was י"ת (cp. the date in responsum no. 95, p. 48b). Rosanes (ib.) suggests that Ibn Ḥabib stayed at Safed (י"ת), then in Jerusalem, and again in Jerusalem (י"ת). However, on p. 174, the order is -- Jerusalem, Safed (יו"ת), Jerusalem.

\textsuperscript{104} Cp. Rosanes, ib., p. 205, citing among other sources the Responsa of R.L.b.H., no. 92 (= p. 48 column a), where Ibn Ḥabib refers to Ḥazan as מ"ס (middle of column a).

\textsuperscript{105} Cp. Rosanes, ib., p. 172, who quotes Responsa of R. Samuel de Modena (יו"ס), Roshen Mishpat (Lemberg 1862) no.219.

\textsuperscript{106} Cp. Rosanes, ib., p. 146.
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seen it in Aleppo. Similarly, when R. Joseph Ashkenazi who arrived in Safed no later than 1572 states that he saw the Codex upon which Maimonides relied in composing his Section list and then proceeds to paraphrase part of the colophon of the Aleppo Codex, we may assume that he had been in Aleppo and had seen the Codex there. In an analogous manner, we explain the origin of the colophon of the Aleppo Codex which was attached to the Tikkon Soferim of Cracow. Someone who owned a Tikkon Soferim saw the Aleppo Codex in Aleppo in the sixteenth century, like the eyewitnesses quoted by R. Elijah b. Ḥayyim and like R. Joseph Ashkenazi. Noting that the Sections of his Tikkon were at variance with other Tikkonim or Torah Scrolls, and having heard of the importance of the Aleppo Codex and of its identification as Maimonides' source, the owner copied the colophon of the Aleppo Codex into his Tikkon to show that it preserved the proper Section arrangement as required by Maimonides. Then this Tikkon, with the colophon, was ready for its next stage on the much travelled route to Safed.

A. Dotan alternatively suggested that "a ms attributed to BA with a colophon similar to that of A" existed in Safed, that it had been seen by R. Joseph Ashkenazi, and that from it origi-

107 Responsa of R. Elijah b. Ḥayyim, no. 78, subsection 7 ("...ויבנה אולר על א壇ים שלואנכי כל אברך אשתלך"). Cp. example three above.


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inherited the colophon of the TS sent from Safed by R. Joseph Karo. However, we do not know of any reference in the halakhic literature to a twin of A, nor do we know of any two Bible mss which are identical with respect to all of the minute details in plene-defective spelling, Sections, vocalization and accentuation and massoretic notes. Also, the TS itself is witness to the fact that the ms from which it was copied could not have been an identical twin of A. As we have shown above, the TS (and thus its source) disagrees with A with respect to at least two plene-defective spellings (one of which Dotan himself noted) and two Sections. Furthermore, we do not know of any manuscript which claimed to be a copy of BA's system and which simply copied the colophon of A. Our explanation fits the historical possibilities and therefore is to be preferred to Dotan's.

We add the following observations: In advancing his theory, Dotan argued that we cannot assume that Karo would have had a TS copied from A (with its colophon) in Aleppo and then have it sent to Isserlis without mentioning this fact in his halakhic work Shulḥan 'Arukh. Thus Dotan's own reasoning suggests that Karo never sent a TS from Safed. We, therefore, remain with Weisman's first report that the TS was sent from Safed (without the detail about Karo) in 1570. We have attempted to show that this tradition concerning the period and the location of the TS is plausible in the light of the ascertainable historical facts.

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109 A. Dotan, "האמנוס נפשו חותר חלב ים הוהי בר- אשר", Tarbiţ 34 (1965) 151, 152 and n. 79.
110 Cp. n. 68.
111 Dotan, ib., p. 152.
After presumably having been kept in Safed, the Tikkun found its way to Cracow. In his report of 1857, Weisman maintained that the Tikkun arrived in Cracow in 1570 during the lifetime of Isserlis, and that Isserlis used it as the basis for writing a Torah Scroll.\textsuperscript{112} However, Isserlis never wrote a Torah Scroll, and seventy-five years after his death the Tikkun was still not in Cracow:

1. Isserlis would only have bought and used the Tikkun if he thought that it was authoritative, and could be used as a model in writing a Torah Scroll.

2. Had he indeed used the TS, he surely would have referred to it. However, he makes no mention of the Tikkun (allegedly sent in 1570) in his halakhic works, Darkhei Moshe (annotations on Karo's Beth Yosef) and his notes on Karo's Shulhan 'Arukh (Cracow, 1570, 1571), in particular, when he discusses Open and Closed Sections, nor in his responsa.

3. In his notes on Shulhan 'Arukh,\textsuperscript{113} Isserlis points out that scribes customarily arrange the lines before and after the Songs in Ex. 15 and Deut. 32 in a specific manner (the source is Maimonides' Code, Hilkhoth Sefer Torah 7:10). To safeguard this arrangement, the first word of each line was recorded by Maimonides, and Isserlis supposedly followed him.

\textsuperscript{112} Cp. n. 52, and n. 96.

\textsuperscript{113} Yoreh De'ah, section 275, par. 6.
However, already in the seventeenth century, two scholars pointed out that Isserlis does not quote these guide words exactly as found in Maimonides' *Code*. R. Yom-Ṭov Lipmann Heller (1579-1654), who served as rabbi in Cracow from 1643 and in 1647 became head of the local Yeshiva, noted in his *Ma'adanei Melekh* (Prague 1628)\(^{114}\) that Isserlis' variants of these guide words for the lines after the Song in Deut. 32 are, in fact, a copy of the same variants found earlier in R. Jacob b. Asher's Ṭur which were clearly scribal errors (and not a variant tradition). Heller was amazed that Isserlis simply copied the incorrect guide words without verifying them.\(^{115}\) R. Shabbethai b. Meir Ha-Kohen (1621-1662) quoted Heller's above comment\(^{116}\) in *Siftei Kohen* (Cracow 1647), his commentary on Karo's *Shulḥan 'Arukh*, section *Yoreh De'ah* and Isserlis' notes thereon. He expressed his surprise that Heller had not noted that a similar situation obtained with respect to the guide words for the lines after the Song in Ex. 15, where Isserlis also differed from Maimonides. Once again, his variants were merely a copy of the obviously erroneous text in the Ṭur.\(^{117}\)

\(^{114}\) The name of this commentary on some tractates of R. Asher b. Yeḥiel's (ようです) Talmudic commentary, and on his *Halakhot Ketanoth* was later changed to *Ma'adanei Yom Tov*. We refer to Heller's observation in *Ma'adanei Melekh* to *Hilkhoth Sefer Torah*, after he noted down the Sections of the Pentateuch according to Maimonides' list. R. Asher's *Hil. S.T.* and Heller's commentary are printed in the standard editions of the Bab. Talmud at the end of the volume containing *Zevaḥim* and *Menaḥoth.*

\(^{115}\) For n. 115, see pp. 125-126.

\(^{116}\) *Siftei Kohen* on *Shulḥan 'Arukh*, *Yoreh De'ah*, section 275, par. 6, R. Shabbethai's n. 8, סדר ה' כורסغن בשפתי (.Alignment: א' חל) ... דא "... " נ' נ"א.

\(^{117}\) For n. 117, see pp. 127-128.
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Had Isserlis written a Torah Scroll based on the Tikkun, he would have correctly detailed the layout of the lines preceding and succeeding the "Songs". The above analysis, therefore, proves that Isserlis never used the Cracow TS and never wrote a Torah Scroll based on it. Having seen in Cracow the Torah Scroll ascribed to Isserlis, Y.M. Zunz commented on Weisman's report that the Scroll contained many new sheets of parchment which did not come from the hand of Isserlis.\footnote{Y.M. Zunz, עיון על פעמון עליון (Tel Aviv 1971, photocopy of ed. Lvov 1874) notes, p. 25 n. 23, that a Tikkun Scroll from Cracow does not contain the former. On similar types of verification-results concerning Biblical mss, cp. Löwinger-Kupfer, Sinai LX (1967) 245, 246 and n. 38 (re Lonzano), and Even Sapir I, pp. 11b, 12a.}

4. R. Shabbethai quotes a responsa which he addressed to his contemporary R. Eliezer concerning the synagogal use of a Torah Scroll with no Section at Lev. 7:22 which thereby contradicted the scrolls that began an (Open) Section there.\footnote{Siftei Kohen, Yoreh De'ah, section 275, par. 2, end of R. Shabbethai's n. 6. The addressee is perhaps R. Eliezer b. Menahem Sternburg who revised עיון בעיון in 1619, and had his הוראות published in Cracow in 1647. Cp. J.E. V: 118a.}

R. Shabbethai determined that also Maimonides was of the opinion that there was no Section at Lev. 7:22. Therefore the scroll was fit for use. In ascertaining Maimonides' opinion, he cites Heller's list of Maimonides' Sections in Ma'adanei Melekh, and the Sections in the Tikkunim printed in Amsterdam.\footnote{Ib. Cp. סידור הסנהדרין וสาธאותו וסנהדותו עלים דרכי הרמב"ם, א"ה, מל bombers שבפינה ת"ו ת"ו.}
Jordan S. Penkower

Had the Torah Scroll – allegedly copied by Isserlis – and the TS been in Cracow in 1570, R. Shabbethai would surely have cited both in support of Maimonides' decision.\(^{121}\) We therefore conclude that the Tikkun was not yet in Cracow in 1647 (the date and place of the first edition of *Siftei Kohen*),\(^{122}\) and that Isserlis who died in 1572, never saw the Tikkun, nor did he copy a Torah Scroll from it.\(^{123}\)

\(^{121}\) For n. 121, see p. 128.

\(^{122}\) Note that R. Shabbethai was silent about the Tikkun not only when he determined the Section division at Lev. 7:22, but also when he quoted Heller's remark about Isserlis (above n. 116), and then added his own comment about similar errors in Isserlis' note (n. 117). Had the Tikkun been in Cracow and had its purchase been ascribed to Isserlis – R. Shabbethai surely would have remarked on the paradox in Isserlis' buying a TS for writing a Torah Scroll, and then in his halakhic notes merely to copy errors from printed editions of *Tur* when dealing with details concerning the writing of a Torah Scroll.

\(^{123}\) I have since found two other cases similar in type to the ascription of the Torah Scroll in the Isserlis synagogue to Isserlis himself: 1) The eighteenth century ascription of the Torah Scroll in the Worms Synagogue to R. Meir of Rothenburg, (who was born and buried in Worms). Cp. A. Epstein, *MGWJ* 48 (1904) 604-606 (= י"הנמ ה"א י"ז יבש ו"ש ת漯 תדיד, vol. 2, Jerusalem 1957, pp. 266-267, Heb. trans. by A. Haberman), who proves that R. Meir of Rothenburg did not write that scroll. 2) The ascription of the Torah Scroll in (or near) the Ezekiel Synagogue, in Babylonia, to Ezekiel himself (!). This is mentioned by Benjamin of Tudela (twelfth century, second half), י"הנמ יי יפ ה"א יבש ו"ש ת漯 תדיד ת"ס, M.N. Adler ed., London 1907, pp. 43-44 (both Heb. and Eng. pagination) = A. Asher ed., N.Y. n.d., photocopy of ed. London 1840, pp. 66-67 (Heb.), pp. 108-109 (Eng.).
EXTENDED NOTES

6  Id., Textus I, pp. 33-43, Textus V, p. 57, nn. 21, 23. In addition to the BA type mss already noted by Goshen-Gottstein, whose layout of Ha'azinu differs from that found in the Aleppo Codex, i.e. L (Textus I, p. 27 n. 30, p. 41 n. 45), L¹ (in the microfilm of L¹ now available at the Institute of Microfilms of Hebrew Manuscripts, Jerusalem (see n. 12), all of Ha'azinu is preserved and is written in seventy lines; cp. Textus V, p. 57 n. 21), and L³ (Textus V, p. 57 n. 23), we are now able to add S (seventy lines), S¹ (seventy-three lines in a peculiar format), L⁹ (almost seventy lines!); since line sixty-nine completed the end of a page in L⁹, the scribe began the new page with line seventy, but did not write that line in the Song form), and L¹⁶ (though a number of lines can no longer be read, it is apparent that L¹⁶ follows the seventy line pattern). Thus all the known BA type mss differ from the arrangement of Ha'azinu found in the Aleppo Codex. They also differ from the layout of the lines after Ha'azinu, with L¹ and L³ being in accord with Abulafia's arrangement of these lines (cp. Textus I, p. 43). On the mss cited above, see the introduction to our study.

Goshen-Gottstein pointed out that the unique agreement between Maimonides and the Aleppo Codex, as testified by the mss of the Code, and in particular Ms. Ox. Hunt. 80, was later changed. All the printed editions of the Code require seventy lines (and not sixty-seven). It was also noted that Menahem de Lonzano stated that a Torah Scroll cannot be considered to be in accord with the Halakhah if written according to Maimonides' arrangement of sixty-seven lines and the layout of the lines preceding and following Ha'azinu. However, we note, as already mentioned there in the name of Abulafia, that according to the Code (Mii. S.T. 7:10), the lines before and after are only a preferable condition, and therefore not binding. Thus, Abulafia's solution of retaining the arrangement in sixty-seven lines and changing the lines after the Song is in keeping with Maimonides' requirements (Textus I, p. 44 and n. 84). Lonzano's changing sixty-seven to seventy lines contradicts Maimonides' ruling.

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What Maimonides had in mind with his arrangement of 6 lines before, and 5 lines after the Song of Moses written in 67 lines, (= Aleppo Codex, but there the lines before Ha'azinu are written with the use of "fill-in" marks) has been a puzzle. The basic problem is: assuming that the Song is to be written in sixty-seven lines, three of which have to include about twice the number of words contained in the rest; leaving a space the size of a space preceding a Closed Section in the middle of each line so as to preserve the Song form (each line must have the width of the longest line - about fourteen words including the space) -- how is one to write the six short lines before the Song (about eight words a line)? Lonzano noted three possibilities for writing these six lines, but added that all result in new Sections and therefore renders such a scroll unfit for use in the synagogue (cp. Textus I, pp. 48, 49, and note that L3 is in accord with the third possibility). Nevertheless, in a responsum dealing with the first format (though with respect to two passages in Num. and not the six lines before Ha'azinu), R. Moses Ḥalawah (fourteenth century) determines (and apparently this was also the opinion of his teacher) that such a Torah Scroll is not invalidated ex post facto (vs. his contemporary R. Nissim Gerondi, who had required that the spaces to the left of the lines in question be filled out by elongating the letters): we may infer that some halakhic authorities (and perhaps so too Maimonides) consider a scroll written in accord with Lonzano's first format as fit for use in the synagogue.

R. Moses' responsa was published by S. Asaf, Sinai 12 (1943) 334-337. The following is R. Moses' reasoning (p. 337):...

In the meantime I have found a responsa that deals directly with the halakhic problem noted above, i.e. the layout of 6 lines, 67 lines, 5 lines in Deut. This responsa was authored by R. Yeshu'ah Shababu Yedi'a Zain (Egypt, beg. eighteenth century; cp. Azulai, Shem Ha-Gedolim, and cp. A. Ya'ari, Ha-Defus Ha-İvri Be-Kushta (Jerusalem 1967) numbers 288, 311, 335), and was quoted in toto by R. Meyĥas b. Samuel (Chief Rabbi in Jerusalem from 1756; cp. EJ IX: 1470-71), Peri Ha-Adamah I (Salo-
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nika 1752-57), responsum number 3, pp. 21b-22d. R. Yeshu‘ah comes to the conclusion (see especially pp. 22c-d) that a Torah Scroll written according to the third format mentioned by Lonzano - i.e. the 6 lines preceding the Song indented on both sides - is fit for use in the synagogue in spite of Lonzano’s censures. R. Yeshu‘ah found in Egypt Torah Scrolls written by R. Abraham Monzon (Egypt, d. after 1603; cp. Azulai, Shem Ha-Gedolim, who also saw Torah Scrolls in Egypt written by Monzon, and cp. EJ XII: 289) and many other old and new scrolls which exhibited the above format (see Peri Ha-Adamah, pp. 21d, 22d). Note that R. Yeshu‘ah’s reasoning (pp. 22c-d) is similar to that of R. Moses Halawah cited above (on R. Moses, cp. M. Hirschman, R. Isaac b. Sheshet Perfet (N.Y. 1943) pp. 200-201, and B. Cohen, Kuntres Ha-Teshuvoth (Jerusalem 1970, photocopy of ed. Budapest 1930) p. 39, no. 23, p. 50, no. 170):

‘וכְלֶל מוֹסֵס הַנָּה סְכָנָה אֲלֵי קִבְּלוֹא בָּרְנָה דוּדָה, דַּעְתּוֹ נָעַרְתוֹ לַאֲלֵי הָיִין
c Gibraltar נְשִׂיאָתָה שֶׁאָזָּה נְהָרָא נָאָרְתוֹ פַּרְשָּׁה, אֲלֵיָּה קְלַשְׁוֹת נָאָרְתוֹ
כֵּבְּלוֹא דָּה מָשְׂחָתָה, אֲלֵיָּה שֶׁלָּרָיָה נְאָרְתוֹ פַּרְשָּׁה, אֲלֵיָּה בֶּנְשִׂיאָתָה שֶׁאָזָּה
(וְיָשָׁרְתוֹ רַחְמָה יְהוָה מְרָשָׁא יֶלֶּקֶט) (ד) שֶׁלָּל כָּלָה אֲלֵיָּה
רַחְמָה מְרָשָׁא יְהוָה מְרָשָׁא יֶלֶקֶט (ד) שֶׁלָּל כָּלָה אֲלֵיָּה

Shortly after the publication of Peri Ha-Adamah (1752-57), a summary of R. Yeshu‘ah’s opinion was given in R. Jacob Algazi’s (1680-1756; cp. EJ II: 609-610) Emeth Le-Ya‘akov (Constantinople 1764) pp. 109a-b, section 6, on Open and Closed Sections. Shortly thereafter R. Hayyim Azulai, Le-David Emeth (Livorno 1786, 21796) pp. 45b-46a, section 16, paragraph 6, summarized Algazi’s decision (without bringing Algazi’s source). In short, the decisors R. Yeshu‘ah Shebabu, R. Meyuḥas b. Samuel, R. Ya‘akov Algazi, and R. Hayyim Azulai, as well as various scribes including the learned R. Abraham Monzon, all agree that a Torah Scroll written according to the third format mentioned by Lonzano (6 lines indented on both sides, 67 lines, 5 lines) is valid for synagogue use. This, we now suggest, probably was the format which Maimonides had in mind. For an example of a masoretic codex written according to the above mentioned format, see the fifteenth century Yemenite Codex B.M.Or. 2348 (1469 C.E.). (Yemenite mss are known for their reliance on Maimonides). A photo of its Song layout (beg.) may be found in EJ XVI: opposite p. 744, and similarly in The Hebrew Book (Jerusalem 1975) plate 3, after p. 6. Finally, we take note that S.Z. Havlin has recently adduced Azulai’s Emeth Le-Ya‘akov to solve the

I have now come across another responsum which also deals with the halakhic problem of a Torah Scroll in which the lines preceding Ha’azinu are written indented on both sides. This responsum by R. Ḥayyim Benveniste (d. 1673; cp. EJ IV: 559-561) was written before that of R. Yeshu’ah Shababu Zain (early eighteenth century) discussed above, but was printed only in 1788, after that of R. Zain (1752-57) and even after the other sources noted above, including Azulai (1786). Cp. R. Ḥayyim Benveniste, Ba’ei Ḥayyei, vol. 3, Responsa on Yoreh De’ah (Salonika 1788) no. 234, pp. 171a-c, esp. p. 171b, end - p. 171c.

R. Ḥayyim does not mention explicitly the 67 line format of Ha’azinu. However, it is implied by the indented format of the 6 (or 7) lines preceding Ha’azinu discussed by him (a 70 line Ha’azinu does not necessitate an indented format of the lines preceding it). Strangely enough, he did not refer to the halakhic problem of the indented format from the perspective of Open and Closed Sections, but rather from another perspective (cp. ib., pp. 171b, end - 171c). He concluded that a Torah Scroll with the indented format is perfectly valid for synagogue use. He noted that he had discussed the indented format with (the local) scribes, and was informed by them that:
1. the majority of old Torah Scrolls from Constantinople were so written; 2. the late learned scribe, R. Zeraḥiah of Leiria (cp. R. Ḥayyim b. Menahem Algazi – d. ca. 1710, cp. EJ II: 608-609) Haiyei, Ortaköy, Turkey 1712, Responsa on Yoreh De’ah, no. 279, p. 62a) permitted such Torah Scrolls a priori - מירידתא, and not just ex post facto; 3. the majority of Palestinian books (=Torah Scrolls) were so written.

In short, we learn from R. Ḥayyim Benveniste’s and R. Zain's responsa, and from the other sources noted above that, although the 70 line Ha’azinu format was found in Torah Scrolls, Maimonides' authentic Ha’azinu decision of 67 lines and 6 preceding lines was nevertheless found in Torah Scrolls in Egypt, Palestine, and Turkey written in the sixteenth through the eighteenth centuries -- with the 6 lines indented on both sides -- and that it was considered halakhically valid a priori by various decisors and learned scribes. We suggest, as noted above, that this double indentation is the format that Maimonides had in mind.

[76]
As is well known, the Ten Commandments have two sets of accents. One, used when reading the text aloud, is based on verses and has a final pause at the end of every verse, even if the verse is not the end of a commandment. The other, used when reading the text silently, has a final pause only at the end of a commandment. Thus, for example, "םֵעֵמָּה לֵעַל" (Ex. 20:6) has its first final pause at the end of Ex. 20:6 (the end of the first Section in ל), whereas "םֵעֵמָּה לֵעַל" has its final pause at the end of Ex. 20:2, and likewise at the end of vv. 3, 4, 5, 6. For other differences in vocalization and accents cp. Lonzo, Or Torah and Norzi, Minhag Shai, ad loc. An even earlier source which lists each set of accents separately is the Geniza fragment, Cambridge T.S. D I, 46 as reported by Yeivin, p. 107. Also cp. ib., p. 106 and n. 19 as to BA changing his mind with respect to a ga’aya in the word היליה (Ex. 20:3), and the significance of this fact.

It should be noted that Lonzo reported in the name of R. Jacob Ibn Habib that סֵעֵמָּה לֵעַל was used in public reading and סֵעֵמָּה לֵעַל in private reading. But Norzi quoted another tradition, in the name of שיקוקי (יה נ. Hezekiah b. Manoah, 13th century), which used סֵעֵמָּה לֵעַל even in public reading. According to this tradition, only on the festival of Shavu’oth, which was associated with the Revelation at Sinai, was סֵעֵמָּה לֵעַל used in public reading.

An even earlier source concerning the public reading of the commandments is the Geniza fragment Cambridge T.S. G 2s published by S. Asaf, פסוקים (Jerusalem 1942) p. 100. In this responsa, (which Asaf attributes to R. Hai Gaon), we learn (as kindly clarified by Prof. S. Abramson) that it was the custom in Palestine, to have one reader read Ex. 20:13 (and similarly re Deut. 5:19) according to סֵעֵמָּה לֵעַל, and another read it according to נֵעֵמָּה לֵעַל. In Babylonia however there was only one reader, and he read according to סֵעֵמָּה לֵעַל. This appears to corroborate S. Pinsker, פיילעלן לָעַיש (Vienna 1860) pp. ב. 3-4, 34-5, 38 (Vienna 1863) p. 46 ff., and following him W. Wickes, ספר סופרי (1887; republished with a Prolegomenon by A. Dotan, N.Y. 1970) pp. 130-131 and nn. 4, 5, who credit מדרשים (Babylonians) with סֵעֵמָּה לֵעַל, and מדרשים (Palestinians) with נֵעֵמָּה לֵעַל.

Further corroboration of Pinsker's suggestion seems to be contained in the following massoretic note, Ms. Michigan 88, fol. 100b (cp. E. Birnbaum, VT 17, 1967, 394 n. 1; I cite from the H.U.B.P. microfilm): סֵעֵמָּה מָעַה בְּאַר [ר] אֵל תִּיבְרָי לְאָי הָא אֵל וּלְאָי הָא וּלְאָי. In other words, the
Palestinians considered Ex. 20:13 (דלא ותнтер לא תבניא) as one verse, i.e. according to the accepted interpretation (expressed e.g. by Lonzano), though עָשַׂרְתָּם does not have its first final pause at the end of Ex. 20:6, (i.e. after לֶא אֵלְיִהוּ אֶלְבָּכֵל), but rather at the end of Ex. 20:2 (end of אַלְכָּכ-אָלכָּכ), with the next final pause at the end of Ex. 20:6. That is, עָשַׂרְתָּם - called in the above mss עָשַׂרְתָם (D 1,46) and similarly, in Arabic, עָשַׂרְתָּם (Or. 1061) - considers אַלְכָּכ and לֶא אֵלְיִהוּ as two commandments, in agreement with the commonly accepted division.

Thus, Heidenheim's suggestion concerning עָשַׂרְתָּם, though not re עָשַׂרְתָּם, in his discussion on the accents of the Ten Commandments, (Polak, Roedelheim 1818, vol. 2, Exodus, towards the end) was correct.

On the other hand, however, עָשַׂרְתָּם - called in the above mss Unshav אל-אל-긴 (D 1,46), and in Arabic, Unshav אל-אל-긴 (Or. 1081) - though it divides the commandments into verses, in contrast to the accepted interpretation, does not have its first final pause at the end of Ex. 20:2, but rather at the end of Ex. 20:3 (with an additional at the end of v. 2), continuing with final pauses at the end of vv. 4, 5, 6. That is, עָשַׂרְתָּם quite unexpectedly combines vv. 2 and 3 into one verse.
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22 See n. 11. This was recently pointed out by I. Ta-Shema, "וילוחת ותודובתיו של רביicone הוא אונילאימית", Kiryath Sefer 45 (1969/70) p. 122 n. 11, who also dealt there with the relevant literature concerning Maimonides' decision in this case.

I have since found that R. Elijah's responsum no. 78 was previously noted in three sources. However, unlike Ta-Shema, none made the explicit connection with the Aleppo Codex. In fact, at least one author (or printer) misunderstood the place name Aleppo, mentioned in R. Elijah's responsum. The sources are: 1) R. Isaac b. Abraham Yeshurun, Panim Hadashot, on Yoreh De'ah, Hilkhot Sefer Torah, section 275, (Venice 1651); now included in Shulhan 'Arukh, Yoreh De'ah, vol. 4 (Jerusalem: Pe'er Ha-Torah 1958) p. ש"ד. 2) R. Joseph b. David (cp. EJ X: 239). Beith David I (Salonika 1740) Yoreh De'ah, responsum no. 134, p. 87a-b (= second pagination), who cites R. Elijah's information concerning the Ben Asher Codex. But he (or the printer) mistakenly quotes "...שְׁעָשָׁעָתָהוּ וְרָאָה", instead of "שְׁעָשָׁעָת" (= Aleppo) (see infra n. 25). 3) R. Jacob Algazi, Emeth Le-Ya'akov (Constantinople 1764) p. 110b, following Beith David. Note, however, that Algazi (paragraph 2) omits Beith David's mistaken "שְׁעָשָׁעָת".

To the above three sources, who had noted R. Elijah's responsum prior to Ta-Shema, we now add four more. Three of these (no. 5-7), take note of שְׁעָשָׁעָת מִן כָּרְא וְרָאָה as quoted by R. Elijah b. Hayyim, i.e. the reference is to the Codex which is in Aleppo. This was especially emphasized in no. 7. The sources are: 4) R. Hayyim Benveniste, Shevarei Keneset Ha-Gedolah, on Tur, Yoreh De'ah, (Constantinople 1717), section 275, p. 115c, par. 11, 12, 13. 5) R. Mas'ud Rakah, "Responsum", in his Ma'aseh Rakah (Venice (1742[1743]), photocopy Jerusalem 1976), Hil. Sefer Torah 8:4, p. (105)[108] v. Rakah is the
first to emphasize that (a) R. Elijah b. Ḥayyim, in his response no. 78, cites evidence which derives from scroll, (b) this is the very ms on which Maimonides relied, when he wrote (in Hil. S.T. 8:4): "משלח כסרך עליז ואריא..., מה...משלח ככר ארא..." 6) R. Ephraim Zalman Margolioth, Sha’arei Efrayim, (Dubno 1820), in the section Pithei She’arim, section 6, par. 21, p. 8, col. a-b, second pagination of the book. Margolioth, noting Benveniste (no. 4) and Rakha (no. 5), reiterates Rakha’s above emphases. Writing "משלח כסרכengkapון", Margolioth shows that R. Elijah b. Ḥayyim’s phrase "משלח כסרכנקון" referred to the Ben Asher Codex in Aleppo. 7) R. Naftali Jacob Ha-Cohen, Oẓar Ha-Gedolim Alufei Ya’akov, vol. 2, (Hilfa 1967) p. 140b, following Margolioth (no. 6). Ha-Cohen was aware of some of the modern literature on the Aleppo Codex as cited by Sapir in Even Sapir (cp. our n. 59 beg.). However, he was unaware of Textus I, and thus thought (p. 140a top) that the Codex was still in Aleppo. He is the first to emphasize that R. Elijah cited evidence which derived from the Aleppo Codex: he paraphrases R. Elijah’s phrase as "משלח כסרכנקון" and notes אこれら כסרכנקון, adding "משלח כסרכנקון: אこれら כסרכנקון".

The critical Torah Scroll was a corrected book which I corrected in accord with a scroll which belonged to a scholar who corrected it with the book of BA in Aleppo. And he wrote that the Torah begins a Closed Section." I would suggest that both corrected copies were Pentateuchal texts. Possibly both were printed Bibles with the respective corrections.

Another case of correcting a Bible — especially in matters of a halachic nature — according to the Aleppo Codex, occurred in the second half of the nineteenth century. Moshe Yehoshua Kimhi, son-in-law of the scribe R. Shalom Shakhna Yellin (1790-1874; came to Jerusalem in 1858; cp. D. Tidhar, Enziklopedya Le-Ya’aleh Ha-Yishuv U-Vonav, 5, 1952, p. 2182), replacing his father-in-law, went to Aleppo on behalf of the Jerusalem rabbinate (Tidhar, ib.; Y. Yellin, יחזקאל, Jerusalem 1966, pp. 359 ff.; S. Yellin’s emissary letter), with a Bible prepared by the knowledgeable Yellin, in order to revise according to the Aleppo Codex those places which Yellin considered problematic, including the layout of the Hagiographa in Song form, and Open and Closed Sections (cp. R. Shmuel Shelomo b. Moshe Meir Boyaršky, Amudei Shesh, Jerusalem 1892, II, 3a). This corrected Bible [1] was then returned to Jerusalem and kept
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under the supervision of R. Samuel Salant (Boyarsky, ib.). R. Shmuel Boyarsky, who came to Jerusalem in 1857 (ib., I, 1b), and who relays most of the above information, further informs us that he himself wrote a complete Bible on parchment [2], based on the copy from the Aleppo Codex, according to Halakhah, i.e. with special attention to layout, without vocalization. In other words, Boyarsky’s Bible was based on Kimhi’s copy. Boyarsky also wrote two copies of the Psalms on parchment [3]-[4], according to Halakhah (as above), one of which remained in Jerusalem. The other he sent to his brother in Brisk, Lithuania, to give it to the local Great Synagogue in order to be read there in public, together with the blessing mentioned in Soferim (14:4 = 14:1 ed. Higger), as formerly was done with the copy in Jerusalem (ib., II, 1a).

Boyarsky also mentions a copy of the Hagiographa [5] which he wrote on parchment according to Halakhah, based upon the Song layout which his emissary had copied at his request from the Aleppo Codex. Boyarsky deposited this parchment copy of the Hagiographa in the R. Judah Ha-Hasid synagogue in Jerusalem (ib., I, 1b; II, 1a). It seems likely that this copy is identical with the Hagiographa part of the above mentioned Bible [2].

On these 4 or 5 copies, see N. Allony, Beith Mikra 24 (1979) 193-204, whose description, especially p. 195, should be revised according to the above.

[81]
This list was copied by Sapir (Even Sapir I, pp. 13b, 14a). He changed the twelfth variant to י"יהו מאמלי ו' and remarked -- י"יהו מאמלי ו' -- that this spell in the fifth variant is incorrect ( vendaal). The list was later copied by E. Gartenhaus, Shir ha-Meggido, vol. 3 of (= notes on) Shan ha-Meggido, New York 1958, p. 220 (cp. A. Siev, Responsa of R. Moses Isserlis, Jerusalem 1971, p. 12 n. 24). Though Gartenhaus left the twelfth variant as it appeared in Ha-Maggid, his list contains two printing errors, in the third -- זי"הו מאמלי ו' and in the fourteenth variant -- א"יהו מאמלי ו'. Gartenhaus (ib., p. 219) also copied from Ha-Maggid the introductory lines to the list (with minor variations).

Sapir was correct in assuming a printing error in the twelfth variant in Ha-Maggid; however, his reconstruction is clearly wrong, as his own note shows. His reconstruction does not result in a "variant" reading, but rather in one found in all the books -- hardly a cause for Weisman to list it. In L for example, the word is vocalized י"יהו מאמל. Had Weisman intended the reading י"יהו מאמל (as printed in Ha-Maggid), he would have written י"יהו מאמל (cp. his fourth variant). His comment י"יהו מאמל indicates that the variant could only have been י"יהו מאמל.

It contained Weisman's examples no. 1, 8, 11, 13 ( מאמל, ad loc.). Nos. 1, 8 were printed in the partial list in ת"מות, and in Even Sapir I, p. 13b nn., Sapir refers to nos. 8, 11. Strangely enough, he says that ת"מות (no. 11) is not in his list, yet it appears in ת"מות ת"מות ת"מות (cp. Goshen-Gottstein, Textus II, p. 54 n. 5). In fact, the comment in ת"מות ת"מות ת"מות, which was in reply to the question whether the word was to be spelled plene, was explicitly -- ת"מות ת"מות ת"מות. This agrees with the Tikkun.

It is to be noted that in Even Sapir Sapir did not discuss the other two (1, 13) of these four cases. The reason is that the readings in the Aleppo Codex agree there with the TS. In his comments to Weisman's list, Sapir noted only that information which he felt contradicted the assumption that Weisman's list reflected the text of the Aleppo Codex (cp. Goshen-Gottstein, Textus II, 1962, p. 56 n. 16, but read there Ha-Maggid II, 1858, no. 16). Thus he thought that nos. 4 and 14 were only scribal errors. His other suggestion on no. 14 ( מאמל) that it
referred actually to Deut. 32:6 must be dismissed with the same type of comment which he noted on his reading of the twelfth example (cp. n. 62): if Deut. 32:6 were involved, it would not have been an unusual reading, since all the books which followed Lonzano agreed with it.

Sapir remarked on nos. 7, 10, 14 that they are not in his list. This agrees with their absence in ה.multipartım and מultipartım. However, even though these comments were meant to question the validity of Weismann's list, Sapir's silence can hardly be construed as evidence for the text of the Aleppo Codex. One must remember that his list was made up of words he chose, most of which were not cases of plene-defective readings. Furthermore, his list did not include all the problematic readings which were known even from Lonzano and Norzi (cp. Textus II, p. 54 and p. 57 n. 23). E.g., his list does not include the well-known problematic no. 3 of Weismann's.

In looking for possible contradictions between A and Weismann's list, and assuming that Maimonides used A (cp. Even Sapir I, p. 11b, p. 13b n.), Sapir searched for possible evidence of Maimonides' testimony with respect to plene-defective readings (and the Sections) in Weismann's list. A contradiction between the TS and Maimonides would then imply that we had a contradiction between the TS and A. It is for this reason that Sapir quoted from the Guenzburg ms of Meiri's Kiryath Sefer, which he saw in Paris in 1865 (Even Sapir I, p. 61b, n.). Noting that Meiri said that one of the sources for his K.S. was a copy of Abulafia's Torah Scroll (Even Sapir I, p. 62a n.), and taking into account Abulafia's responsum (which Meiri copied in K.S.), which showed that in writing his Torah Scroll Abulafia used Maimonides' Code as his source for the Sections, Sapir assumed that by quoting Abulafia's Torah Scroll, Meiri was in fact quoting Maimonides. There was however a mistake in Sapir's reasoning. He assumed that Meiri reflected Maimonides not only for Sections, but also for plene-defective readings (in Even Sapir I, p. 13 he says that in K.S. Meiri adduced testimony from Abulafia's Torah Scroll, in which Abulafia had copied plene-defective readings from the ms of Maimonides, whose source was the Aleppo Codex). However, in his responsum Abulafia only claimed to have used the Section list and the Song form of Maimonides' Code, which indeed was all that Maimonides had quoted there in the name of the Ben Asher Codex. The basis for Abulafia's plene-defective readings was another matter (see above n. 3). Therefore, the evidence of plene-defective readings in Abulafia's Torah Scroll, quoted by Meiri, does not constitute
evidence with respect to Maimonides, and certainly not to the Codex upon which he based his Section list. It follows that Sapir's comments on nos. 7, 8 and nos. 10, 11, 14, based on Meiri, tell us nothing about the Aleppo Codex (even according to his assumption that Maimonides used A).

As a result of his incorrect deduction, Sapir commented on no. 8 (and not on no. 7, see below n. 65a): מהלך שב:absolute ש"בוסר והלך מתתף" מניון מהמקרא. Meiri's comment on this word is מספר ש"בוסר" עלים... אם כי אותו "הלך" (cp. K.S. II, p. 47b, top), referring to Abulafia's Torah Scroll (cp. K.S. I, p. 49 and n. 31 above). Equating Abulafia's Scroll with the ms of Maimonides which Abulafia had received from Tbn. Titton (cp. K.S. I, p. 46), Sapir incorrectly assumed that this equation pertains also to plene-defective readings, while in fact, it pertains only to the Sections.

65 a) הגרשתי מיון מדパーティ המיר. Sapir's footnote, marked with a double asterisk in Even Sapir I, p. 13b, has no corresponding mark in the text. There, some sort of double asterisk is mistakenly attached to variant no. 7 ( النهائي), instead of to no. 8 (אניון). That this is a printer's error can be seen from Sapir's note on p. 13b (marked with one asterisk), where he explicitly says that his list (culled from the Aleppo Codex) contains no note on نهائي (no. 7). We add that Sapir's list, both in מיון and מיון הגרשים, corroborates the fact that the double asterisked note refers to no. 8.

b) In this case, unlike in some others, Sapir's list was explicit on the spelling of the word. "ניקון ז"ז ז"ז ז"ז ז"ז ז"ז (ז"ז ז"ז), leaves no doubt that this spelling contradicted the TS. Sapir listed problematic readings in the right-hand column and the corresponding decisions from the Aleppo Codex in the left. If there was agreement, the left column would read 'yes' - ז"ז; if the Aleppo Codex disagreed, the column would read 'not so' -- ז"ז ז"ז ז"ז ז"ז ז"ז, with the proper reading added ...ז"ז. Cp. the photo of the ms of the list in Textus II, after p. 58.

c) Sapir implied that there was another contradiction between the TS and A. His reasoning was as follows: Weisman's list included all readings which were unique with respect to Lonzano's Or Torah. Therefore, if one were to find that Lonzano discussed and decided on a problematic reading, and that Weisman did not list a TS reading which contradicted Lonzano, one could assume that the TS agreed with Lonzano's decision.
Such was the case with Ex. 25:31. Citing among others Ibn Ezra on Ex. 25:31, Lonzano deliberates at length whether the reading is read סעָשַׁש or סעָשַׁש, and decides in favor of the former. Surely, if the Ts read סעָשַׁש, Weisman would have mentioned it. But סעָשַׁש is not in Weisman's list; therefore one must conclude that the Ts had סעָשַׁש. We now understand Sapir's comment that his list of readings in the Aleppo Codex had סעָשַׁש at Ex. 25:31 (Even Sapir I, 14a n. 9 - corroborated by Meerovich and יַעַרְשִׁית and וֹרִית). In short, the Aleppo Codex with סעָשַׁש at Ex. 25:31 contradicted the Ts which apparently read סעָשַׁש, in agreement with Lonzano. סעָשַׁש is also the reading of the BA type Ms. BLL\^SS\(^1\). Cp. also Norzi, Minh\^at Shai, ad loc.

68 Though this Ts had two types of predecessors (cp. Goshen-Gottstein, Textus II, p. 50, n. 24), it is unique. The first type consisted of ms's whose colophons state that they are copies of BA's work: הכֶּבֶן נָעַשׁ תֵּמאָר...ותַּפּוֹרִים תְּפַרְּשָּׁת...אִישׁ. L (complete Bible, 1009) cp. Baer-Strack, Digduque Hat\^e\^amim (Jerusalem 1970, photocopy of ed. Leipzig 1879) p. IX n. 6; P. Kahle, Masoretan des Westens I (Hildesheim 1967, photocopy of ed. Stuttgart 1927) p. 67 top; Yeivin, חקך (1968), pp. 357-358; L\(^5\) = Firk. B, 39 = T\(^4\) (Prophets, 981), cp. Baer-Strack, Digduque, p. XXXVII; Kahle, MDW I, p. 65; Yeivin, חקך, p. 368; L\(^{14}\) = Firk. B, 144 = T paper 1 (originally complete Bible, 1122), cp. Baer-Strack, p. XXXI, Kahle, p. 77. The colophon of L\(^{14}\) was first reproduced by D. Oppenheim in Geiger's JZfVL 11 (1875) pp. 80 ff.

The second type consisted of ms's of Yemenite origin, whose colophons include the following type of note: הַכֶּבֶן נָעַשׁ תֵּמאָר...ותַּפּוֹרִים תְּפַרְּשָּׁת...אָישׁ. E.g., B.M. Or. 2349, Or. 2350, Or. 2364, Or. 2365, Or. 1379 (cp. Ginsburg, Introduction, p. 87 and n. 1). Similarly, Ms. Adler 1701 (cp. A. Sperber, NUPA 17, 1943, 380), Ms. JTS 62, JTS 136 (cp. Goshen-Gottstein, Textus II, p. 48), and the ms of the Pentateuch dated 1508, described by M. Nadav in Ha-Univestitah 14 (1968) 22. These Yemenite codices, however, are not copies of the Aleppo Codex. Cp. Goshen-Gottstein, Textus II, p. 49.

The first type is a ms whose colophon claims it to be a copy of BA's vocalization and accents; whereas, the second is a ms whose note (based on Maimonides, HIl. S.T. 9:4) claims that it is a copy of BA's Codex, obviously referring to its sectional division. The Tikkun's colophon is meant to align it
with the second type. However, it was unique, insofar as whoever attached to it the colophon of the Aleppo Codex, meant it to be taken not as a copy of A, but rather as the Codex itself!

In the nineteenth century, the long colophon of the Aleppo Codex was once again copied in its entirety (with a number of deliberate changes) into a fifteenth century codex of the Bible with vocalization, accents, and Massorah, which was kept in the Karaite synagogue in Jerusalem. However, in distinction from the TS, here the copyist prefaced the colophon with the words דנה ליהבוק, viz. he informed us that he was copying the colophon. For the text of this "changed" colophon, see R. Gottheil, "Some Hebrew Manuscripts in Cairo", JQR 17 (1905) 650-651. For the date of the codex, see ib., p. 649. As Kahle pointed out, NdW I p. 3, the colophon was the work of Firkowitsch. This can easily be seen by a comparison of the text which Gottheil transcribed, and the "variant" readings of the colophon of A which Sapir brought in Even Sapir I, pp. 12b-13a, in the name of Firkowitsch (who had obtained a copy of the colophon of A, cp. Even Sapir, p. 12b, n. 2). In particular, Sapir notes that Firkowitsch wrote שלמה התועדו instead of שלמה כ יוהן נלווה. Sapir noted (ib., and p. 19b) that this was obviously a deliberate change on the part of Firkowitsch, so as to "karaize" the colophon, since the name שלמה כ יוהון was that of a known Karaite opponent of Sa'adya Gaon. Checking Gottheil's transcription (p. 650), we find that שלמה התועדו is precisely the name found in the colophon copied into the Codex of the Karaite synagogue in Jerusalem (cp. I. Ben-Zvi, KS 32, 1957, 368 and Textus I, 1960, 12-13). It follows that this "changed" colophon also was the work of Firkowitsch.

In sum, the TS was the only text into which the full colophon of A was copied unchanged, without mentioning its source, and for the purpose of indicating that its Sections were in accordance with Maimonides' Code.

9a) We add the supporting evidence that the entire sectional division of the part of the Aleppo Codex that remains in ms, or in photo, agrees with Maimonides' Section list. Cp. Goshen-Gottstein, Textus V, p. 55, Textus I, p. 27.

b) We also take note, as has already been pointed out, that BH^3 is not always reliable in its transcription of L. In two of our four examples, BH^3 has an incorrect sectional division. Thus, in Ex. 20:14b (= Ex. 20:17b; cp. above n. 16) and Deut. 27:20 BH^3 has no Section, whereas L has a Closed Section.

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c) With respect to all of our four examples, certain Bible codices (e.g. those cited in n. 51) had a sectional division which is the exact opposite of Maimonides.

d) Interestingly enough, we found two sources which brought together the same four problematic examples that we have analyzed: 1) Abraham Porteolone (שלחן העpropTypes, Jerusalem 1970, photocopy of ed. Mantua 1612, p. 179 c-d) quotes the comments of the scribe R. Meir of Padua, (cp. D. Kaufmann, "Meir ben Ephraim of Padua, Scroll Writer and Printer in Mantua", JQR 11, 1898/99, 266-290) on these cases. R. Meir raised the problem of these Sections in the printed editions of Maimonides' Code and the Torah Scrolls which contradicted them. His decisions agreed with Maimonides' original decisions, although he did not phrase it that way; 2) R. Raphael Meldola (שם מיס ובוים, Amsterdam 1737, responsum no. 55, pp. 494-50a) adduced the four examples from Lonzano's Or Torah to show that even in Maimonides' Section list scribal errors occurred. However, we have shown that the changes did not result from scribal errors; 3) Recently, S.Z. Havlin (Introduction, 1975, pp. [6-11], see above n. 6) discussed the problem of the above Sections in the light of Kesef Mishneh, Lonzano, and M'. Havlin noted that Moses b. Shealtiel's edition of the Code preserved the original text (as exhibited in M') with respect to the above four cases, as well as to the sixty-seven line format of the Song of Moses (Deut. 32). Havlin (following Goshen-Gottstein) discussed the unique correspondence between Maimonides and the Aleppo Codex concerning the format of the Song of Moses, but not their relationship regarding the Sections. However, in additions to his Introduction, Havlin briefly took note of Ta-Shema's remarks and query concerning the testimony of A's Sections (cp. n. 71).

Some printed editions of the Shulḥan 'Arukh simply add at the end of Isserlis' note that his source was the Ṭur. Checking the sources, we found that:

a) Maimonides (Hil. S.T.) lists the guide words for the lines after the Song in Deut. 32 as רְאוּ נְדָבָר-אָשֶּׁר-זָוהָא-אָשֶּׁר (this is exactly what is found in the Aleppo Codex, cp. the photo in Textus I).

b) However, Ṭur, Yoreh De'ah, section 275, in the editions prior to 1628 when Heller published his observation in
Ma'adanei Melekh (e.g. Piove di Sacco 1475, Ixar 1487, Soncino 1490, Constantinople 1494, Venice 1522, 1551), lists these words in the name of Maimonides as
תובות-ויתור-כלבר-לזר-זוז-ר-יהוושע.

(c) In the early editions of the Shulhan 'Arukh which contained his notes on Yoreh De'ah, certainly those before 1628 (e.g. Cracow 1578, = 1583, 1607, 1618; Hanau 1627), Isserlis lists these guide words as מנהנ-ויתור-כלבר-okemon-ירש-זוז-ר-יהוושע. The later editions of Wilhelmsdorf (1677) and Prague (1694) print the same guide words. However, the Amsterdam (1711) edition corrects: מנהנ-ויתור-לאב-זוז-ר-יהוושע.

A simple check of the lines following the Song in Deut. 32 and תור's guide words shows that the variants in תור concerning Maimonides' guide words result from an error, and not from a variant tradition (cp. e.g. Textus I, p. 43 for Abulafia's variant tradition of arranging these lines). Instead of Maimonides' רזיק-ויתור-כלבר, תור has רזיק-ויתור-כלבר. תור's second guide word (כלבר) apparently is a miswritten variant of Maimonides' לזר, under the influence of the first guide word לזר. Thus, Maimonides has a sixteen-word first line (לזר), whereas תור has a two-word first line (לזר). This was followed by a fourteen-word second line (לזר-כלבר). תור's arrangement is clearly impossible, since it entails an enormous break in the first line, indicating a non-prescribed Section which would render such a Torah Scroll unfit for use in the synagogue. Once the error occurred, and תור had three guide words (לזר-לזר) in place of two (לזר), Maimonides' last guide word (ירש) was eliminated so that also תור would have a total of five as recommended by Maimonides. This same double error is found in Isserlis' notes, certainly not a coincidence. As Heller remarked, Isserlis simply copied the incorrect guide words found in תור (In the process, תור's third guide word לזר became לזר in Isserlis' notes, probably under the influence of such תור editions as Piove di Sacco 1475, Soncino 1490, Const. 1494, and Venice 1522, which have לזר as the third guide word). The mistakes did not originate with these תור editions. Lipman-Muelhausen (Tikkun, p. 255) quotes a ms of the Code which had this reading (לזר) and which could have caused the error in תור.
Maimonides and the Aleppo Codex

Checking the sources, we found that:

a) Maimonides (Hil. S.T. 7:10) lists the guide words for the lines after the Song in Ex. 15: והנה-יאיריה-סס-וריאא-ריבא.

b) The early editions of Tur (cp. above n. 115) list them in the name of Maimonides: והנה-יאיריה-סס-וריאא-ריבא, and likewise the later editions of Wilhelmsdorf (1677) and Prague (1694). The Amsterdam edition of 1711 corrects: והנה-יאיריה-סס-וריאא-ריבא.

c) In the early editions of the Shulhan 'Arukh containing his notes (cp. n. 115), Isserlis lists these guide words: והנה-יאיריה-סס-וריאא-ריבא-יהוה.

Again, a simple check shows that the variants in Tur result from an error, and are not a variant tradition: Tur's last guide word - יהוה simply does not occur in the passage after the Song in Ex. 15 (the next occurs at Ex. 37:9!); Tur begins the list with והנה in place of Maimonides' והנה, but continues nevertheless like Maimonides with יאיריה-סס-וריאא-ריבא. Whereas Maimonides has an eleven-word first line (יאיריה-סס-וריאא-ריבא) and an eleven-word second line (יאיריה-סס-וריאא-ריבא) followed by a ten-word second line, including a Section space (יאיריה-סס-וריאא-ריבא), followed by an eleven-word third line (יאיריה-סס-וריאא-ריבא). Tur's arrangement is impossible, unless there are large breaks in the second and third line. Such breaks however are non-prescribed Sections, and would therefore render a Torah Scroll unfit for synagogue use. The cause of the error in Tur was explained by the author of the Tur in ידיעותแตกגא, ad loc., n. 4: "שבנה עם מנהיג מבקר משמיר את הלקט, "שיקף עראשה, תחילו מגבר הארץ" אתים,купך חורף תיבת איריה, רבע תרגים מהיבט. The error arose from a misreading of Maimonides Hil. S.T. 7:10, the source upon which Tur explicitly had based himself (cp. Tur, Yoreh De'ah, latter part of section 275: "כ鸨 תקנויות יוש רעה:דרימ נשבה חוכ מקומרים...יעור נגזר ברושי שלט רחוקים,تمثل הלקט, "שיקף..."אתים...ﮢמית משמרות, "שיקף..."אתים..."מלומר משמרות, "שיקף..."אתים). In Hil. S.T. the word following the five guide words for the lines after the Song in Ex. 15 belongs, in fact, to the next phrase in the Code...[89]"
phrase (... סון ויזרא ויבא ו WHICH, בפışı...), writing, probably under the influence of the forms of the last two guide words (ודךיא, ויבא). And in order to remain with five guide words, they eliminated the second guide word (no doubt interpreting "והקח אתמה סון ויזרא...", as [the lines] after that [begin with] סון, and then "ודךיא...""). The same double error (משה, elimination of אבראה) is found in Isserlis' notes; certainly not a coincidence. Curiously enough, even R. Shabbethai, who pointed out Isserlis' errors has a mistake in his text with respect to the guide words. Already in the early editions of Siftei Cohen, together with Shulhan 'Arukh (Wilhelmsdorf 1677, Prague 1694, Amsterdam 1711), R. Shabbethai (allegedly) quotes Maimonides' second guide word as ודךיא and simply omits Isserlis' fourth guide word סון.

a) That the TS had no Section at Lev. 7:22 can be inferred from Weisman's silence in Ha-Maggid (cp. n. 61). We recall that Weisman listed only those Sections in the TS which were unique, i.e. which differed from Lonzano, (cp. n. 61, and nn. 62 beg., 65c). Since Lonzano discussed Lev. 7:22 at length, and concluded that Maimonides had no Section there (see example four), and since Weisman did not list Lev. 7:22 as a Section unique to the TS, it follows that the TS was in agreement there with Lonzano.

b) Even if R. Shabbethai did not assume that on the basis of its colophon, the TS was a copy of the BA source of Maimonides' Section list, surely the TS - had it been in Cracow in 1570 and 1647 - would have been well enough known to be adduced by him in support of Maimonides' opinion. After all, it should have been as least as good as the evidence he brought from various printed editions of the Pentateuch: יושב יושב ובוא ובוא יושב ובוא... כל תרי עדים וכל תרי עדים...

c) Had the responsum originally been written before R. Shabbethai's return to Cracow in 1646, i.e. before he had seen the TS, and this is supposed to account for the absence of a reference to the TS in his responsum, upon his return he surely would have checked the TS which Isserlis allegedly used in writing a Torah Scroll - had it been in Cracow and had its purchase been ascribed to Isserlis - before publishing the responsum in Siftei Cohen (Cracow 1647). After all, his Siftei Cohen was a commentary on Karo's Shulhan 'Arukh and Isserlis' notes thereon.

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