

THE SEED THAT SPROUTED INTO THE סידור REVISITED

The conclusions that we reached concerning the history and purpose of קריאת התורה necessarily require us to revisit an issue which we previously discussed; i.e. the seed that sprouted into the סידור. We can now create the following timeline. At the time of עזרא הסופר, markets were held on Mondays and Thursdays. That markets took place on Mondays and Thursdays is evidence that שמירת שבת played a strong role in Jewish life at that time. Food to be eaten on שבת was purchased on Thursdays¹ because many had to travel to the cities where the markets were held. Those who travelled to the markets needed time to return home in order to prepare the food before שבת. The food was then eaten on שבת and Sunday. Because they had few means of preserving the food, the food probably began to spoil by Monday which necessitated another trip to the market.

Jewish merchants through their travels to markets in other parts of the region became aware of the practice of markets being situated near religious institutions. The basis for that practice was so that the local Diety would bless the activities of the merchants and their customers. Jewish merchants and their customers may have approached עזרא הסופר to institute קריאת התורה for a similar purpose. קריאת התורה was chosen because it gave those present an opportunity to connect with מעמד הר סיני by reading from the תורה that was a copy of the תורה that משה רבינו wrote 'מפי ה'. They further developed the concept that by performing קריאת התורה in a group of at least ten men, they were being מקבל the תורה anew not only on behalf of themselves but on behalf of all כולל ישראל as well².

The fact that קבלת התורה מחדש was taking place on Mondays and Thursdays led to Mondays and Thursdays being considered an עת רצון.

The markets and the practice of קריאת התורה that took place on Mondays and Thursdays were held in the שער העיר; the city-gates. Our strongest proof of this fact is the opening פסוק in פרק ח' of ספר נחמיה, which is the פרק that outlines the procedure for קריאת התורה. In that פסוק we find that קריאת התורה took place at שער המים:

נחמיה פרק ח', א' – ויאספו כל העם כאיש אחד אל הרחוב אשר לפני שער המים ויאמרו

1. See the opening משנה in מסכת מגילה that provides a similar rule concerning קריאת המגילה ליום: שהכפרים מקדימין ליום: קריאת המגילה. הכניסה.
2. This can be derived from the wording נחמיה פרק ח', א' – ויאספו כל העם כאיש אחד; i.e. those who were present were representing the whole nation as one person.

לעזרא הספר להביא את ספר תורת משה אשר צוה ה' את ישראל:

We know from other sections of תנ"ך that the שער העיר played an important role as the meeting place where transactions of both business and Halachic significance took place.

In ספר רות, we find בעז going to the שער העיר to find גואל רות's and to ask him to perform חליצה:

רות פרק ד', א'-ו בעז עלה השער וישב שם והנה הגאל עבר אשר דבר בעז ויאמר סורה שבה פה פלני אלמני ויסר וישב: פסוק ב - ויקח עשרה אנשים מזקני העיר ויאמר שבו פה וישבו:

In ספר בראשית, we find that מערת אברהם אבינו undertakes his purchase of the מערת אברהם at the שער העיר:

בראשית פרק כג- (י) ועפרון ישב בתוך בני חת ויען עפרון החתי את אברהם באזני בני חת לכל באי שער עירו לאמר: (יח) לאברהם למקנה לעיני בני חת בכל באי שער עירו:

These practices were performed at the שער העיר because at that time no written records of transactions were kept. Our two examples involve a real estate purchase and חליצה. In order that disputes not arise after transactions were completed, the transactions were performed in a public place so that by word of mouth news of the transactions would spread. In Halachic terms, it is called: פרסומא דעלמא. For the same reason, weddings took place in the presence of at least ten men. That קריאת התורה took place in the marketplace at the שער העיר was for the same reason of פרסומא דעלמא. Once ten men were present, the act that was performed was being performed not only for the benefit of the ten men present. It was being performed on behalf of all of כלל ישראל. We can therefore explain the act of being called for an עליה as a person being called to be מקבל the תורה on behalf of כלל ישראל. For that reason, the minimum number of people called to read from the תורה consists of a כהן, a לוי and a ישראל. Each one is accepting the תורה as representative of his group. The concept that the presence of ten men can cause an act, in this case, קריאת התורה, to be a representative act for all of כלל ישראל, essentially laid the groundwork for תפלה בציבור to also be viewed as a representative act for all of כלל ישראל.

The שער העיר where the market was held, where legal and Halachic transactions took place and where קריאת התורה was performed became the foundation for the institution that became known as a בית כנסת, the synagogue. The choice of both the word: בית כנסת and the word: synagogue, a Greek word that is defined as "place of assembly," was not coincidental. They each indicate that the synagogue began not as a house of prayer but as place where community activities were conducted.

Professor Lee I. Levine, in his book, The Ancient Synagogue, Yale University Press, 2000,

points to the **שער העיר** as the antecedent to the synagogue. He claims that over time architectural changes were made to the walls of cities that caused community activities to move from the outdoors to the indoors. Professor Levine opines that since archaeologists have not found any evidence of any synagogue building in any Jewish community before the second century, BCE, that the change in the design of the city walls occurred in that era. It was then that buildings began to be used as synagogues. A few synagogues have been uncovered that date to the second century, BCE. A few more have been excavated that date to the first century BCE. It is from the first century CE and forward that many more synagogues have been uncovered.

That early synagogues were not used a place of prayer is confirmed by inscriptions that have been uncovered at ancient synagogue sites. One of the more well known inscriptions is the Theodotos inscription found at an excavation of a synagogue in Yerushalayim believed to have been built in the first century CE:

Theodotos, the son of Vettenos, priest and archisynagogos³, son of an archisynagogos, grandson of a archisynagogos, built this synagogue for the reading of the Law [i.e. the Torah] and the study of the commandments, and a guesthouse and rooms and water installations for hosting those in need from abroad, it [i.e. the synagogue], having been founded by his fathers, the presbyters, and Simonides⁴.

The introduction of prayer into the synagogue may have originated in the form of the **ברכות ההפטרה**. Professor Shmuel Safrai in an article entitled: Gathering in the Synagogues on Festivals, Sabbaths and Weekdays, published in the Journal BAR International Series 499, 1989, entitled: Ancient Synagogues in Israel, pages 8 and 9, makes the following point:

A number of scholars have pointed out that the benedictions recited after the Haftarah are not only benedictions to be said after a reading from the Prophets because, in contradistinction to the blessings said after the reading of the Torah, which is brief and pertains only to the Torah, giving thanks for the Torah of truth, the blessing after the Haftarah include in their very recensions prayers touching on a wide range of issues: consolation, the Kingdom of David, the Torah and the Temple service and the sanctification of the Sabbath, and they are recited in a most festive manner. Some scholars have hypothesized that in ancient times these blessings constituted the nucleus of the prayer to be recited on a given day. In other words: originally, the congregation would gather for the reading of a passage in the Torah and the Prophets; after the

3. Head of the synagogue.

4. Levine, The Ancient Synagogue, page 55 quoting from L. Roth-Gerson, The Greek Inscriptions from the Synagogues in Eretz Yisroel, Yad Izhak Ben Zvi, 1987, pages 77-86.

reading, the leader or the person who was honored with the reading from the Prophets would add a number of benedictions, and these were the entire prayer service. The language and content of the blessings as they have come down to us are similar to the blessings recited by the High Priest on Yom Kippur after the reading of the Torah.

Given the fact that early synagogues were not houses of prayer, synagogues could co-exist with the בית המקדש and were in no way a challenge to the בית המקדש. The activities that took place there did not in any way conflict with what was being performed in the בית המקדש. If anything, the existence of synagogues at the time that the בית המקדש was destroyed turned into a blessing. It provided חז"ל with a pre-existing structure that could absorb one more activity; i.e. תפלה. The existence of synagogues prior to the destruction of the בית המקדש allows us to state that what חז"ל did in adding תפלה as an activity was not revolutionary. It was evolutionary.

In sum, it was the marketplace that led to קריאת התורה. קריאת התורה led to the establishment of the synagogue. The existence of the synagogue and its use as a place for שמונה עשרה provided חז"ל a venue in which to provide for the recital of שמונה עשרה. שמונה עשרה then led to the formation of the סידור. It should be further noted that the concept that the presence of ten men during קריאת התורה rendered קריאת התורה as קבלת התורה for כלל ישראל allowed for the extension of the same concept to תפלה; that the presence of ten men during the recital of שמונה עשרה rendered שמונה עשרה the כלל ישראל of תפלה.

קבלת התורה AS קריאת התורה

One last word on this issue. The following גמרא is troubling not so much in its conclusion but in its underlying thesis. What was the גמרא's אמנא?

תלמוד בבלי מסכת מגילה דף כג' ע"א – תנו רבנן: הכל עולין למנין שבעה, ואפילו קטן ואפילו אשה. אבל אמרו חכמים: אשה לא תקרא בתורה, מפני כבוד צבור.

On what basis could women be permitted to read from the תורה? If you accept the premise that קריאת התורה is קבלת התורה, then it is easy to understand the גמרא's underlying thesis. Since women and children were also present at הר סיני; since women and children also accepted the תורה, since women and children also said: נעשה ונשמע, they were equally qualified as men to be מקבל the תורה on behalf of כלל ישראל through קריאת התורה.