

***Jewish Ethics in Torah Reading:
Balancing Hatred, the Ways of Peace, Holiness,
Communal Dignity, and the Obligation to Read Torah
on Shabbat when Five Israelite Men are not Present***

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Preface

Ethics within Judaism are not measured simply by what is right and wrong. Grounded in Judaism's moral compass is also the prioritization of competing virtuous ends, and when something improper must be done, ensuring that the wrong is minimized. This short paper examines an area of halakha—Torah reading on Shabbat when less than five Israelite Jews are present—that at first glance seems to lack ethical overtones, and examines it for its underlining ethical values. We wish to show that a dispute about ethical priorities pervades even the halakhic discussion in as “ritual” an area of Jewish law as Torah reading. In particular, the classical halakhic authorities are divided about how to balance the prohibition of generating hatred (*eivah*), the obligation of the ways of peace (*darkei shalom*), the idea of communal dignity (*kavod ha-tzibur*), and the obligation to sanctify those worthy of holiness (*ve-kedashto*), all while keeping in mind the general rabbinic obligation to read from the Torah on Shabbat.

Introduction

While this article addresses a small detail in the rules of Torah reading, it raises a set of fascinating issues in balancing three sometimes incompatible rabbinic decrees:

1. The requirement that a *kohen* get the first *aliyah*.
2. The obligation to read at least seven *aliyot* on Shabbat.
3. The rule that a different *yisrael* receives each of the final five *aliyot*.

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Under normal conditions, these decrees produce the classical order of *kohen* (K), followed by a *levy* (L) followed by five *yisraelim* (Y) (abbreviated as KLYYYYY), with which all who attend synagogue are familiar.

Unusual quorum constituencies present a challenging dilemma in weighing the multiple obligations present. In general, four aspects of Torah reading present themselves as pressing ritual and communal concerns:

- the *mitzvah* of sanctification (“ויקדשתו”), namely that the *kohen* must be granted priority;
- the fear that congregants will think a *kohen* or *levi* defective in his lineage (*p’gam*) if one *kohen* reads after another;
- the centrality of maintaining the *kohen-levi-yisrael* order;
- the fear that congregants will fight over the *aliyot* (“*darkhei shalom*”).

This paper will focus on a small subset of widely discussed cases when there is a quorum of ten men with fewer than five Israelites. These cases are initially discussed in the rubric of a city composed solely of *kohanim*, but more scenarios are possible. Consider the following set of cases:

Case	Number of <i>Kohanim</i>	Number of <i>Levi'im</i>	Number of <i>Yisraelim</i>	Total
One	10 or more	0	0	10 +
Two	1 or more	5	4	10+
Three	4	3	3	10
Four	4	4	2	10
Five	6	0	4	10
Six	9	0	1	10
Seven	8	0	2	10
Eight	8	1	1	10

Each of these cases raises a slightly different set of religious and ethical problems. In the first case, there are simply no Israelites present to fulfill the obligation. In the second case, there are not enough Israelites to receive the last five *aliyot*, but enough to have a *kohen-levi-yisrael* (KLY) set, albeit only once. In the third case, two KLY rotations are possible, followed by a final *yisrael*. In the fourth case, two KLY sets are possible, but the final *aliyah* must go to a *kohen* or *levi* given that both *yisraelim* have already been called up. In the fifth case, neither group has enough to com-