

The 10 RashiYomi Rules
Their presence in Rashis in Ki TayTzaY
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GOALS

The goal of the Weekly Rashi Digest is to use the weekly Torah portion to expose students at all levels to the ten major methods of Rashi's commentary. Continual weekly exposure to these ten major methods facilitate the acquisition, familiarity, and facility with the major exegetical methods.

Hi

This year I am focusing on the presence of Jewish Law in verses and Rashi.

Today we review the Generalization method one of the Rabbi Ishmael Style rules. This is an important rule because many people erroneously think that Talmudic learning is based on pickiness on the ability to see overemphasis in each word of a sentence.

But the Generalization method does the exact opposite. It seeks to generalize verses. It seeks to ignore minutae and details in favor of generalization.

For this reason the examples brought today are especially important for those involved in any way in Talmud learning since it shows that Talmudic analysis depends both on semantic pickiness and its opposite generalization.

Enjoy

I will attempt to send out the Parshah over a week in advance.

Russell Jay Hendel, President, RashiYomi

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Questions and Answers.

As a result of our survey I have resurrected the Q&A section of the Newsletter. Below please find an inquiry and the Rashi Newsletter response. *Please send inquiries on anything bothering you in Rashi. Questions should be sent to RashiYomi@GMail.Com.*

Please feel free to ask questions on particular Rashis. Send inquiries to RashiYomi@GMail.com. All questions are posted anonymously unless otherwise indicated.

Generalization Daily Rashi Dt25-04a, Ex21-28a, Ex22-17a, Ex22-21a, Ex22-30a, Dt23-11a, Dt23-27a, Ex22-30a, Dt23-11a, Sun-Sat 8/19/2018 - 8/25/2018

Background: The prohibition of cooking kid meat in the milk of its mother applies to cooking any meat of a kosher animal (whether a kid or not) in the milk of any kosher animal (whether its mothers or another species).

This actually appears quite startling. The verse explicitly says *don't cook a kid in its mother's milk*; yet Jewish law says *don't cook any kosher meat in the milk from any kosher animal*.

Rambam explains:

The Torah only mentioned kid in its mother's milk because that is a *typical* case of eating milk and meat; [a shepherd is on the field and is hungry. It might slaughter a newborn kid (an adult sheep or goat is too much to eat) and cook it, to give it flavor, in its mother's milk.]

Rashiyomi explains further that this argument of *typicalness* is the famous Rabbi Ishmael **Generalization** Method. This method basically, according to Rashi, (Pesachim 6a) means

Any Biblical verse should be read as a good typical example and generalized unless the verse, through using a general-example style indicates that it only refers to this example.

Here is a list of familiar examples. Both Rashi and Rambam explain these verses by using the phrase *the Bible gave typical examples, but the law includes more*. We start with an example from this week's Parshah.

Biblical Verse: Dt25-04a *Don't Muzzle an ox while threshing.*

Rashi Comment: Besides the Rashi comment on this verse we give similar verses with similar Rashi comments.

- **Dt25-04a** (Rashi and Rambam) The verse says *Don't muzzle an ox while threshing* but the interpretation prohibits *any physical interference with eating on any animal while doing its standard work (whether threshing or anything else)*
- **(Ex21-28a, Rashi and Rambam)** The verse says *When an ox gores another ox which dies, the [goring] ox is stoned ...* but the interpretation says this applies to any animal.
- **(Ex22-17a, Rashi and Rambam)** The verse says *A female witch should not be allowed to live* but the interpretation says *any witch whether male or female.*
- **(Ex22-21a, Rashi and Rambam)** The verse says *don't abuse a widow or orphan,* but the interpretation says *don't abuse any person.*
- **(Ex22-30a, Rashi and Rambam)** The verse says *don't eat a field carcass,* but the interpretation says *don't eat any carcass whether in the field or in the house.*
- **(Dt22-27 brought in Ex22-30a, Rashi and Rambam)** The verse speaks about a field rape, in which case the woman is exempt because her screams could not be

heard. The interpretation says this applies to any rape (in the city).

- (**Dt23-11a** brought in **Ex22-30a**, Rashi and Rambam) The verse speaks about the requirements of ritual impurity of a soldier who had a nocturnal emission. The interpretation says this applies to any emission whether by night or day
- (**Dt23-27a**, Rashi and Rambam) The verse speaks about the punishment for a person who in private verbally persuades people to worship idols. The interpretation says the same punishment happens whether the idolatrous persuasion is done privately or publicly.

These examples are compactly summarized in the table below. The extension of the prohibition of eating a kid in its mother's milk, using this *typical example* approach, therefore applies to cooking any kosher meat in the milk of any kosher animal.

NOTE: Because the verse is generalized I am very reluctant to derive from *don't cook a kid in its mother's milk* that the law only applies to animals that nurse. Indeed, the whole point of the **Generlization** method is that the details do *not* carry over. Because of this I think it more realistic to derive that *kid* by its nuances and contrast with *cheetah* **Isa11-06** excludes beast, bird and fish. This is a

novelty of mine which I have not found in any other Rishonim, Acharonim, or Biblical commenters.

Verse	Statement of verse	Generalization	Rashi explains why the verse didn't say so
Dt25-04a	Don't muzzle an <u>ox</u> while <u>threshing</u>	Don't muzzle any <u>animal</u> while doing its typical work	Verse spoke about the typical case. It gave an example. However, the law applies generally
Ex21-28a	When an <u>ox</u> gores another <u>ox</u> , which dies then	When an <u>animal</u> gores another <u>animal</u> which dies then	Verse spoke about the typical case. It gave an example. However, the law applies generally
Ex22-17a	A <u>female</u> witch should not be allowed to live	A <u>female or male</u> witch should not be allowed to live	Verse spoke about the typical case. It gave an example. However, the law applies generally
Ex22-21a	Don't abuse a <u>widow</u> or <u>orphan</u>	Don't abuse a <u>person</u>	Verse spoke about the typical case. It gave an example. However, the law applies generally
Ex22-30a	Don't eat a <u>field</u> carcass	Don't eat <u>any</u> carcass	Verse spoke about the typical case. It gave an example. However, the law applies generally
Dt22-27	A woman is exempt from punishment in a <u>field</u> rape because her screams are not heard [in time]	A woman is exempt from punishment in a <u>field or city</u> rape because her screams are not heard [in time]	Verse spoke about the typical case. It gave an example. However, the law applies generally
Dt23-11a	Ritual impurity of a soldier who experienced a <u>nocturnal</u> emission	Ritual impurity of a soldier who experienced a <u>nocturnal or daytime</u> emission	Verse spoke about the typical case. It gave an example. However, the law applies generally
Dt23-27a	Punishment to a person, <u>who in private</u> , persuades people to worship idols	Punishment to a person, <u>who in private or in public</u> persuades people to worship idols	Verse spoke about the typical case. It gave an example. However, the law applies generally
Ex23-19 Rambam	Don't cook a <u>kid</u> in its <u>mother's milk</u>	Don't cook any kosher <u>meat</u> in the milk from <u>any kosher animal</u>	Verse spoke about the typical case. It gave an example. However, the law applies generally

Warning: The above list came from the digest two weeks ago. Because the issue was big we repeat here the rest of that digest.

Background: There are three verses that contain the Biblical Prohibition, *Don't cook a kid in its mother's milk*. Most people are familiar with this biblical law as the rabbinic law of not eating meat and dairy together is associated with it.

Our goal will be to understand the three-fold repetition. We will see many Rashi and Talmudic comments. We will also bring in the Rambam. As mentioned above Yaako Elman uses the principle of *omnisignificance*,

There is universal (omni) significance to every repetition in the bible. The act of repetition by itself justifies making exegesis. The fact that so many Rabbis gave so many explanations shows that there is nothing intrinsic to the derivations except the act of repetition.

We shall show Elman's perspective incorrect. The midrashim and laws all emanate from sound grammatical principles. The fundamental fallacy is the following

When the Talmud says 'three repetitions to teach us three things' the Talmud is not playing a counting game, three for three. Rather the Talmud really means 'three [contexts] to teach us three laws.' In other words, it is the context of each repetition that gives rise to a different law. The context rule is in fact one of the

powerful Rabbi Ishmael rules, 'Something inferred from its context'. We shall be more specific: instead of saying 'context' generally we will say 'parallelism context' specifically.

Most importantly, we will show that our contextual interpretations are not invented by Rashiyomi to defend the Talmud: Rather these context interpretations occur in the Mechiltah and Sifra. Elman well knew this, but he chose to ignore this approach since he feels that omnisignificance, the mere act of repetition, is a fundamental principle. We will show that the Rambam also followed this approach.

We will begin our analysis by citing each verse in its context and parallel verselets. We will also cite Rashi and Rambam to show that they were not driven by omnisignificance as Elman proposes.

Biblical Texts:

- **Ex23:**

*Observe 3 Festivals during the year (Passover...)
Males will be seen by God 3 times a year
... The choicest of the first fruits you'll bring to Temple
... You should not cook a kid in its mother's milk*

- **Ex34**

*Don't worship idols or intermarry. [Instead] Observe
Passover, Shavuot, Succoth ...Three times a year, males*

will be seen by God. When God conquers nations before you and widens your territory no nation will covet your land when you go up to see God three times a year.... Choicest of the first fruits you will bring to Temple; you should not cook a kid in its mother's milk

- **Dt14**

... *Don't eat [list of non-kosher birds]*
.... *Don't eat [the meat of] dead carcasses, ...sell to non-Jews*

....*don't cook a kid in its mother's milk*

Sifrah-Mechiltah Explanation of Three-fold prohibition: Prior to citing Rashi we cite the Mechiltah and Sifra commentaries on the reasons for the three-fold prohibition. They are summarized in the table below. It does appear in this table that a *play on numbers is being done - 3 items for 3 verses*. This is exactly Elman's position and you see he had some basis for it. However, other parts of the Mechiltah and Sifra which were actually cited by Rashi and Rambam contradict this. Elman is at fault for not citing opposing viewpoints and saying he disagrees.

What or who are the Mechiltah and Sifra? Around the time of the Mishnah and Talmud, there were collections of laws *derived* from biblical verses. These collections organized by biblical verses form the Mechiltah, Sifray, and Sifrah. These collections form a basis for many citations in the Talmud. They are also interesting collections in their own right. They are the oldest organized exegetical legal commentary on the Bible that we have.

Here is the table. One can see *the play on 3*. One Rabbi thinks that three prohibitions correspond to the kids of goats, sheep, and cattle; another thinks it corresponds to three type of prohibitions: cooking, eating and benefiting. Note how for example one Rabbi thinks the threeness

prohibits animals, beasts, and birds while the other Rabbi thinks it excepts from the prohibition animals, beasts, and birds. How can there be such diversity? Because it appears that the emphasis is more on finding threes than on some particular content (prohibit-exempt).

Rabbinic Author	Why 3-fold repetition of prohibition of cooking kid in mother's milk	The three
Rabbi Shimon	3 places of covenant	<ul style="list-style-type: none"> • Sinai, (Torah was given there) • Plains of Moav (Before entry to Israel); • Mount Gerizim (Where blessings and curses were stated when Joshua entered)
Rabbi Jonathan	3 biological categories	Animals Beasts Birds
Rabbi Akiva	3 Exceptions	Animals Beasts Birds
Aba Chanan for Rabbi Eliezer	3 Youngsters	Young animal Young goat Young Sheep
Aba Chanan for Rabbi Eliezer	3 Prohibitions	Cooking Eating Benefit (e.g. Sales)

Rashi Text: We will enumerate all laws, I, II, III, IV connected with the milk-meat prohibition. For each law we will cite an explanation going back to the Sifrah Mechiltah and Rashi and Rambam that does not use a play on three.

I: Law applies to any kid whether of sheep, goats or cattle

Let us look at the law that the biblical prohibition *don't cook a kid in its mother's milk* applies to the kids of goats, sheep, and cattle. Here is how Rashi derives this on **Ex23-19b**, **Ex34-26c**. Notice that there is no emphasis on threeness but rather on content. Rashi here uses the **Meaning** rule.

The word kid includes kid sheep, kid goats, and kid cattle. The word kid by itself simply means a soft animal youngster. Since there are several places in the Torah where the phrase *goat-kid* [vs. kid] occurs with examples listed below it shows that *kid* by itself doesn't necessarily mean *goat-kid* but could mean any kid. Therefore, when the bible wishes to specify *goat-kid* it will use the two-word phrase. The following list is illustrative

- **Gn38-17,20** *I will send a goat-kid from the flock*
- **Gn27-09** *Take two goat-kids and I will make them into a venison dinner as your father likes*

We can add the following verse not cited by Rashi

- The wolf will live with the sheep and the cheetah will frolic with the kid (**Is11-06**)

Clearly the intent of the verse is that cheetah's will frolic with all kids.

Summary: The fact that *kid* includes *any* kid, whether of goats, sheep or cattle is not derived from a play on

three but rather from the Meaning method: *Kid* means a soft animal youngster.

II: The three prohibitions: cooking, eating, and benefiting.

Here Rashi is terse but Rambam amplifies. Rashi (**Ex29-19b, Ex34-26b**) simply says *three to prohibit cooking, eating, and benefiting*.

To appreciate Rambam's explanation we first present the parallel structure of **Dt14**.

The parallel structure of **Dt14** is as follows

- Don't eat an abomination
- Don't eat...ham
- Don't eat ...fish without fins &...
- Don't eat ...non-kosher birds
- Don't eat a carcass animal
- Don't cook a kid in its mothers' milk

Commenting on the anomaly indicated by the underlined words (cook-eat) Rambam explains

Don't even cook (and certainly don't eat)

In other words, true, normally if the Bible said, *Don't Cook*, then I would say, cooking is prohibited but eating permitted. But if the Bible says *Don't cook* in the context of a lengthy list of *Don't eats*, then the *Don't cook* prohibition is clearly additional (not contrastive) to the

Don't eat. That is, we say, everything in this chapter is about not eating and kids in its mother milk is also about not cooking.

Thus, the Rambam here uses the **Parallelism** rule. Also note that this logic of the Rambam already occurs in the Sifrah.

What about the prohibition of benefiting? In my own opinion this is also justified by the parallelism

Don't eat a carcass, either give to a Noachides or sell to Non-Jews
Don't cook a kid in its mother's milk.

Again, we invoke the **Parallelism** principle. The verse says that although a carcass can't be eaten you can benefit from it by giving a gift or selling it to Non-Jews. Contrastively, there is only a prohibition when it comes to a kid in its mother's milk. There is no redemptive alternative like selling it (and hence the parallel phrase of selling is omitted for the kid in its mother's milk)

Summary: The 3-fold prohibition of cooking, eating, and benefitting is not derived from 3 repetitions of the *don't cook a kid*. It is rather derived from 2 of the repetitions. It is not derived by a numbers game. It is derived by application of the **Parallelism** rule. Again, we see that

the exegesis is deep and rule-based;
not superficial and playful.

III: The prohibition of cooking milk and meat does not apply to a) beasts, and b) birds.

First some explanatory comments (due to the Rambam)

- It is prohibited to eat say chicken cooked in milk. But this prohibition is rabbinic; there is no biblical prohibition. Why did the Rabbis prohibit if the Bible allowed it? Because it would be very confusing to the man on the street to allow chicken and milk but not meat and milk. So, they prohibited it as a fence to prevent any biblical errors.
- But most beasts (say lions) are not kosher anyway. The Rambam explains (I cite the Rambam using the lion example)

If one, say cooked lion meat in milk, and ate it, then the person does violate the prohibition of eating non-kosher food. However, the person does not additionally violate the prohibition of cooking meat in milk nor the prohibition of eating milk and meat.

Next, we must derive this. Neither Rashi nor Rambam give any derivation. There is a derivation in the Mechiltah

The verse says *do not cook a kid in its mother's milk*. Therefore, this prohibition does not apply to birds whose mothers do not have milk!

Such a derivation is possible. Such an argument would also work for beasts (by definition only mammals nurse their young, not beasts). We will cite it as an alternative below. I will also indicate why I am "unhappy" with the explanation.

Right now, I offer an explanation of my own. I use the Rashi **Meaning** rule.

What does the word *kid* mean in the Bible? We already cited the Isa11-06 verse above which we repeat here for convenience of the reader (The verse describes the peace in the Messianic era)

The wolf will live with the lamb
The cheetah will frolic with the kid

What is the point of the verse? It seems to be saying that an aggressive beast, the cheetah, will frolic with *kids*. Which kids? Presumably the kids of domestic animals. In fact, cheetahs normally consume kids of domestic animals. The cheetah achieves this by its high speed of chase. Note then the verse pun: Instead of *running/chasing* after kids, the cheetah will *frolic* with them. *Frolicking* is a type of aggressive motion behavior.

The verse would not make sense if say it meant that the cheetah will frolic with its own children. It would also not make sense if it meant that the cheetah will frolic with the young children of other beasts. The whole point of the verse is contrastive: *cheetah the beast* will frolic *with tame animal kids*. Thus, the word *kid* excludes *beasts*. Clearly also the verse is not speaking about the cheetah frolicking with the young of birds.

Thus, the Meaning of kids seems to definitionally exclude beasts and birds. Kids do include *any animal kid* such as sheep, goats or other animals but it excludes birds and beasts.

Yaakov Elman in his article, *Omnisignificance*, posits that the key to understanding Rashi and Midrash is that the Talmudic Rabbis saw as source of exegesis *any* superfluity. There doesn't have to be any other supporting reason. Superfluity in and of itself justifies fantasizing about connections to the superfluity. So, when the bible repeats a verse, *don't cook a kid in its mother's milk*, three times, it justifies *any* association with threeness.

Elman totally ignores other explanations mentioned in the Mechiltah and Sifra. Even if he disagreed, he should have at least acknowledged these other explanations. Furthermore, there is no value in explaining exegesis with silly and fanciful plays on numbers when there are sounder

explanations based on grammar and meaning. We summarize in the Table below the various laws of milk and meat discussed in this issue and show how each one is based on a sound grammatical principle.

Milk-meat law	Verse	Text of verse	Rashi Rule	Derivation	Derivation mentioned by these sources
Don't cook milk and meat	Ex23-19	Don't cook milk and meat	Explicitly stated	Explicitly stated	Bible
Don't eat milk and meat	Dt14	Don't eat... Don't eat... Don't cook..	Parallelism	Don't even cook and certainly don't eat	Rambam, Mechilthah, Rashi yomi
Don't benefit from a milk-meat mixture	Dt14-21	Don't eat carcass <u>but sell it</u> Don't cook kid in mother's milk	Parallelism	Selling is only allowed for carcass but omitted for kid-in-milk	Rashi yomi
Don't cook any young – whether goat, sheep or animal	Ex23-19	Don't cook <i>kid</i> in its mother's milk	Meaning	<i>Kid</i> refers to any young animal	Rambam, Rashi, Mechilthah
Prohibition does not apply to beasts and birds (and fish)	Isa11-06	Cheetah will frolic with <i>kid</i>	Meaning	So, <i>kid</i> refers to any young animal but excludes birds and beasts which cheetahs don't frolic with	Rashi yomi Rambam mentions fish. Rambam & Mechilthah mention alternate derivation: Milk in mother's milk excluding species without milk
Prohibition applies to any Kosher meat cooked in milk of any kosher animal	Ex23-19	Don't cook kid in its mother's milk	Generalization (Rabbi Ishmael) – Verse only mentions typical case (kid in mother's milk)	Don't cook any kosher meat in the milk of any kosher animal	Rambam, Rashi yomi

Finally, I mention, as frequently stated on Rashi yomi, that despite the sound reason for a Rashi rule, Rashi or Midrash

might have chosen to *express* the derivation using a pun or play on numbers. This happens frequently. The reason it happens is to facilitate memorization which was important in those days. In each case, it is the job of the serious student of Rashi to identify what is for memory and what is the real justification for the exegesis. Thus, the play on numbers *three repetitions for three prohibitions* is simply a mnemonic device not a derivational device.

We hope you especially enjoyed this issue.

Praised be Him who Chose Them and Their Learning

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I-REFERENCE: Dt26-05d We went down to Egypt with a few people explained by Gn46-27: with 70 people

II-MEANING / Lexicography / Dictionary: **EXAMPLE (Connectives)** KI means IF,PERHAPS,RATHER,BECAUSE,WHEN,THAT (Rashi on Gn18-15a Gn24-33a) **EXAMPLE (Nuances):** YDA means FAMILIAR, not KNOW (egg Dt34-10a) egg Gn04-01 Adam was FAMILIAR with his wife **EXAMPLE (Idioms)** ON THE FACE OF means DURING THE LIFETIME (Rashi on Nu03-04a Gn11-28a Ex20-03c Dt05-07a) **EXAMPLE (Synonyms)** Marchese means pot; Machinate means frying pan (Lv02-05a, 07a) **EXAMPLE (Homonyms)** SHAMAH can mean listen, hear, understand: (Gn42-23a) *They didn't appreciate that Joseph understood them* (Note: They knew he was listening) **EXAMPLE (Metonymy)** (Lv02-11a) *Don't offer ...any honey as sacrifices* RASHI: honey includes any sweet fruit juice

III-GRAMMAR: **EXAMPLE:** BA-ah means Candelabras means COMING(Gn46-26a) **EXAMPLE:** Whiptail conjugation has different rules if 1st root letter is Trade (Gn44-16a)

IV-PARALLELISM: (Ex20-04) Don't **POSSESS** the gods of others Don't **MAKE** idols RASHI: So both **POSSESS**ion & **MAKING** of idols are prohibited

V-CONTRADICTION: (Nu04-03, Nu08-24a) Levites start Temple work at 25; Levites start temple work at 30. RASHI: They apprentice at 25 but start actual service at 30.

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VI-STYLE: RABBI ISHMAEL RULES: EXAMPLE: (Simple verses should be generalized): (Rashi Pesachim 6) (Dt25-04a) *Dont MUZZLE an OX while THRESHING* RASHI: Dont STOP any WORKING ANIMAL from eating

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VII-FORMATTING: EXAMPLE (*BOLD indicated by Repetition*): Ex12-09c) COOK COOK it in water (So COOKED-COOKED is understood the same way bold is understood by modern reader) RASHI: Preferred to COOK it in water; But COOK it at all costs(Even if you don't have water) **EXAMPLE:** (*BULLETS indicated by Repeating keywords*) (Ex03-11a) Who am I - **THAT** I should go to Pharaoh - **THAT** I should take the Jews out of Egypt RASHI: Repeated word **THAT** creates BULLET effect - Pharaoh was a difficult king (Bullet one) - Jews were not yet ready for freedom (Bullet two) **EXAMPLE** (*Climax assumed in any Biblical list*): (Dt19-11a) *If a man HATES, SPIES, CONFRONTS & KILLS.* RASHI: Bible identifies 4 stages to murder(indicated by capped words

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VIII-DATABASE: EXAMPLE: *God spoke to Moses to say over* introduces about 7 dozen biblical commandments; *God spoke to Aaron to say over* only introduces 2 commandments. RASHI: (Lv10-03b) Aaron was silent when his sons died because they served in the Temple drunk; hence he merited that the commandment prohibiting priests to work in the Temple drunk, was given to him

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IX-NON VERSE: EXAMPLE: (Use of Algebra)(Ex38-26b) *Temple donations of silver were 100 Kikar and 1775 Shekel from 630,550 half-shekels* RASHI: So one Kikar of silver = 3000 Shekel.

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X: SYMBOLISM: EXAMPLE: (Use of puns) Moses made a copper snake for people to look up to when bitten by snakes (so they should pray and recover) RASHI: (Nu21-09a) The Hebrew root for copper and snake are identical (Cf. The English *copperhead*) Moses made the metal snake copper colored to symbolize the snake