

The 10 RashiYomi Rules
Their presence in Rashis on MiShPaTiM
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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.

YEAR 2015-2016: *This year I am reviewing comments from the book Yosef Hallel, by Rabbi Brachfeld. This book studies original Rashi manuscripts: i) The first (printed) version (of Rashi), ii) Elkavetz, iii) Rome, iv) Zamorah, v) Soncino, vi) some handwritten manuscripts. (One can and should google these to find out about them; some of these are online (with others)). My goal this year is to show that the methods approach of the Rashi Newsletter, what is Rashi's method?, can yield the same insights as the textual approach. We believe this important since a doctrinal position of the Torah is that it should be accessible to everyone (Deut. 30:11-14). Manuscript analysis is only available to scholars while the Rashi methods used the Rashi Newsletter are accessible to everyone. I would say more but throughout the year each issue will elaborate on this point.*

As usual, when making transitions in the Rashi Newsletter we welcome positive and negative comments as well as requests. Please send all comments to RashiYomi@GMail.Com.

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Parallelism Method *Daily Rashi* Thur Feb 4 2016 Ex22-23a

Biblical Texts: Ex22-23a

[Background: The Torah warns against abusing Orphans and Widows]

If you dare to in anyway abuse them; then if they pray at all to me then

- I will kill you by the sword
- Your wives will be widows and your children orphans

Current Rashi text: *Since it says "I will kill you" don't I know that as a consequence "your wives will be widows?" But the interpretation is that there will be no witnesses to the death and the wives will be permanant widows and the children permanant orphans since they cannot claim the estate unless there is proof of death.*

Ibn Ezra Text: The two bullets above are connected by *consequence*. Since I will kill you, as a *consequence* your wives will be widows. This is tit-for-tat justice since as a punishment for abusing widows the abusers wife becomes a widow.

Contribution of Rabbi Boncheck: Rabbi Boncheck sees the Rashi - Ibn Ezra controversy as two approaches to biblical interpretation.

- Ibn Ezra sees the bible as speaking in the language of man. People sometimes repeat themselves for emphasis. So the bible first says "I will kill you" and then says "Your wives will be widows."
- Rashi interprets the text using the principle of omnisignificance, every word of the Torah has significance.

So the bullet about the wives being widows must have more significance than appears

Contribution of Rashi Newsletter: The Rashi Newsletter

- Rejects that there is a concept of omnisignificance. *All* Rashis follow from rational rules
- In this particular Rashi, the comment follows from the **parallelism** rule. The parallelism rule as explained by James Kugel, in his exquisite book on Parallelism requires
 - That the 2nd parallel clause *not* be identical with the first clause
 - That the 2nd parallel clause *not* be a new independent theme from the first clause but
 - That the 2nd parallel clause build on the 1st clause and continue it.

Here is a rough way to read the two clauses according to Kugel
If you abuse widows then I will kill you. You might think, at least my children will inherit me and my wife will remarry but not so; your wife will be a permanent widow because there will be no witnesses to your murder.

In this way the 2nd clause is not identical to the first clause and builds on it. Notice, how this interpretation does not build on omnisignificance, but builds on parallelism. Furthermore, the phrase *the Torah speaks like humans* applies also since this is the way humans use parallelism.

- Most importantly, we reject the Ibn Ezra's interpretation. The Ibn Ezra interprets the two clauses as identical and this contradicts the way of reading parallel clauses. The Ibn Ezra was ignorant of the interpretive methods of parallel clauses which *naturally* requires something extra in the 2nd bullet. The Ibn Ezra's approach is not an approach to biblical

interpretation. It is based on ignorance of parallelism. In general, Ibn Ezra, when he disagrees with Rashi, very often overlooks global or structural issues. Though he is good in grammar, Ibn Ezra was not aware of all the rules governing paragraph structure.

Database *Daily Rashi* Sat Feb 6th 2016, Ex21-12a

Biblical Texts: Ex21-12a

A person who smites another person with that person dying, [that person] shall be executed.

Current Rashi Text: There are several texts in the Parshah/Paragraph about murders

First Printed Rashi Text: There are several texts about the death of murderers

Contribution of Rashi Newsletter: Although the Rashi textual analysis is useful, an alternate approach (to understanding what Rashi intended) can be done through the method-based approach of this Newsletter. The **Database** method seeks to see a current text in a context of many texts with similar attributes. If we ask *Which biblical texts deal with murder* we find the following

- 10 Commandments (**Ex20, Dt05**)
- Distinction of premeditated and negligent murder (**Ex21-12**)
- Discussion of criteria of lethality and review of judgement practices (**Nu35**)
- Commandment to build refuge cities for negligent murderers

(Dt19)

This contrasts with other commandments for which there may be only 1 biblical paragraph (or two, one main paragraph and review in Deuteronomy). Based on this, the correct Rashi text can be reconstructed: *There are several biblical texts addressing murderers*. This corresponds to the first printed Rashi text. The current Rashi text should therefore be seen as a corruption.

**Meaning Database *Daily Rashi* Sunday Feb 7, 2016,
Ex21-06c**

Biblical Text: Ex21-06c

[Background: The Torah describes the ritual done to a slave who refuses to leave his master's house]

...His master will pierce his [the slaves] ear with an awl

Current Rashi: *The text says pierce his ear with an awl. Which ear? The right ear. You say the right ear? But perhaps it is the left ear. You learn it is the right ear from the principle of Gezayrah Shaveh (two identical words in disparate biblical texts). Lv14-14 speaks about "the right ear". Since ear is used in both the Lv and this passage it must have the same meaning, the right ear.*

The First Printed Rashi, Elkavitz Manuscript, Rom manuscript, Soncino manuscript, Zamorah manuscript. The body of the Rashi text is identical. But the introductory clause simply says pierce his ear rather than pierce his ear with an awl.

Comment: Clearly the alternate Rashi manuscripts are more

accurate since Rashi never comments on the word "awl".

Contribution of the Rashi Newsletter: Rashi cites the Gezayrah Shaveh rule which means juxtaposing two texts with the same word and inferring attributes of a current text from other texts. Such a rule appears playful and whimsical. The Rashi Newsletter uses the **Database** rule. We do not seek

- *one* verse with the word *ear* but seek
- *all* verses with the word *ear*

Today, this can be done with a search engine. The search engine shows about 100 occurrences of *ear* in the Bible.

- Sometimes it simply says *ear*
- Sometimes it says *right ear* (about half a dozen times in Leviticus)
- It never says *left ear*.

In other words, where *ear* refers to one ear, it always refers to the right ear.

In summary, it is the **Database** that drives the Rashi interpretation, not some play on words.

Parallelism-Contradiction *Daily Rashi* Monday Feb 8th, 2016, Ex21-17a

Biblical Text: Ex21-17, Lv20-09

- *One* who curses his father or mother, shall be executed
- A man, man who curses his father or mother, shall be executed

Current Rashi Text (Sumamrized): *Based on the differences in the parallel passages*

- *We see a restriction: The law only applies to men*
- *We see broadness: The law applies to anyone*

We resolve this by saying that the law applies

- To *anyone*, to *any* adult, man or woman
- But does not apply to a minor.

Here is another way of looking at it: *Man man* emphasizes the word *man*. This could exclude either

- a woman, or
- a minor

By combining *man, man* we exclude the minor not the woman.

Contribution of Yosef Halel: Yosef Halel cites the Raam who asks: *Why do I need a biblical text to limit a minor. Minor's are never punished for crimes since they are not responsible?* The Raam did not answer this.

Yosef Halel follows the answer of Tosafot who suggests that just as an animal (involved in a sexual crime) is killed with the human so too we might argue that a minor involved in a sexual crime (or murder) is killed with the adult.

But I would respond: There is no way to compare a minor who has human status with an animal. Killing an animal is not a violation of the prohibition of murder while killing a human is. How could one possibly think that we kill a minor with a human. That would be murder!!!

But I would offer an alternative answer to the Yosef Halel and

Tosafot. There is one instance in Jewish law when you can kill a minor: If the minor is a pursuer, that is pursuing someone to kill or rape. Of course one tries to stop the minor by screaming or attacking an organ. *But if you can't you must kill the minor* (Rambam, Laws of Murder, Chapter 1).

Let us examine. A minor cursing an adult may, especially since a minor is not responsible, kill the adult. Therefore *without the biblical text*, I might argue that this minor is habituated to curse and rant and rave and since he might kill, I can, under the pursuer clause, kill him first. Therefore the text excludes the minor from death. Similarly, we might argue that a minor sleeping with an adult may protect his ownership of the woman by killing or raping; therefore we are told that we have no right to classify this minor as a pursuer.

Bottom line: Adults cursing their parents are executed; minors cursing their parents, even though they are classified as angry and aggressive may not be classified as pursuers; they are not executed.

THE 10 RASHI RULE CATEGORIES / THE 30 RASHI RULES

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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 (eg Dt34-10a) eg 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) *Marchesheth* means pot; *Machavath* means frying pan (Lv02-05a, 07a) **EXAMPLE (Hononyms)** 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 CAME;ba-AH means COMING(Gn46-26a)
EXAMPLE: Hitpael conjugation has different rules if 1st root letter is Tzade (Gn44-16a)

IV-PARALLELISM: (Ex20-04) Dont **POSSESS** the gods of others Dont **MAKE** idols RASHI: So both **POSSESSion & 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.

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

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)

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

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.

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