

ROSTYSLAV DYMERETS
International Solomon University, Kyiv
rdymerets@yahoo.com

Rationalism in the Talmud:
Ta'am and Middot

Most philosophers would probably agree that reason lies at the core of philosophical thinking and that without reason and reasoning as the logical form of its application the cognition of truth and transmission of the knowledge obtained is impossible. If an attainment of the state of true knowledge is possible it is only through due application of reason, and rules of logic are simply the rules of such an application. This conviction represents a kind of belief, according to which a process of cognition is a process of application of thinking to reality. In this belief, thinking is paradoxically seen both as detached from the reality to which it is applied and, at the same time, as constituting a part of this reality, which nevertheless has to be able to embrace reality as a kind of whole. Moreover, according to this view, it is in this very application of thinking to reality – which philosophers regard as reasonable only in the case that the part completely fits to whole – that the *meaning* of reality appears. In other words, there is no meaning without an application of thinking, as a special part of reality, to reality as a whole in an act of reasoning implemented according to some specific rules of such an application.

This means that the meaning of reality depends on some kind of rationalism – which consists in applying of the rules of thinking to thinking as such – which in this or that case is applied to the world. No thinking can be completely devoid of rationality, and even so-called irrationality has some rationality as its basis.¹

¹ See on this topic Rostyslav Dymereets, “Religious Tradition and Logic: The Case of Jewish Philosophy,” *Ukrainian Orientalistics: Special Issue on Jewish Studies* (2011): 55–56; Rostyslav Dymereets, “Traditionalism and Rationalism in Jewish Philosophy,” *Judaica Ukrainica I* (2012): 49–69.

I have already touched elsewhere² on the kind of rationalism which is concerned with the question of the character of what *is* in what can be called the point of destination of a message. My point there was that in order that something could be *accepted* as rational – that is as meaningful for those concerned with it as with a message sent to them – it has to *be* at the point of destination exactly that so as to correspond to what it *was* at the point of departure. In other words, the content of what is delivered at any time is not different in every two closest to each other points considered in every such time as the point of departure and the point of destination (i.e., there is no meaning without a comparison of at least *two* different points made with an aim to compare their contents, when each two points taken for their comparison are considered at the moment of their comparison as the closest to each other). What *was* sent is to be the same as what *is* received. The thing in the output is to be the same with the thing in the input.

Only that entity, which is the same in the two different points, is considered, according to this reasoning, as real, and only that entity is to be regarded as a thing. In order to be a thing, an entity is to be included into the structure of reality. Reality is thus not made from things but, on the contrary, it is prior to every thing, and things are made by imputing reality to something which is not yet real. To be not real means, therefore, to be outside of reality, to be not included into its structure. Reality thus is the sphere moving through each point of which an entity keeps its sameness, or identity, thus becoming a thing. Each point of this sphere can be considered either as an output or as an input, depending on the context of consideration. The way between every two points in the sphere is considered by rationalists as a sequence or a set of points, with every two points within the set considered in relation to each other either as the output or as the input. Every thing is thus always considered either as just sent or as just received, and never in the state that is just between these two conditions. Delivery, therefore, is a moving from one fixed point to another, and thus cannot exist without a system of fixation in which to every state of what is moving a distinct point, or a place is affixed. By this or that way of affixation of a state to a place the identity and thus reality of the state is maintained. No thing can exist without some kind of affixation, or application of a place to a state. And, moreover, existence thus means maintaining, by certain means, of such kind of affixation. That what is meant when rationalist says of some thing that it *is*, or *exists*.

Reality is thus seen as not constituted from its *parts* but as in every case derived from some point. Reality such understood is made not by gathering its parts but by *following* from one point to another, which is a kind of counting.³ This is why the rationa-

² Dymerefs, "Traditionalism and Rationalism," 49–69.

³ Cf. R. Akiba on the (ac)counting structure: "Everything is given against a pledge, and a net is spread out over all the living; the store is open and the storekeeper allows credit, but the ledger is open and the hand writes, and whoever wishes to borrow may come and borrow; but the collectors go round regularly every day and they have that on which they [can] rely [in their claims], seeing that the judgement is a righteous judgement, and everything is prepared for the banquet" (Ab. 3:16).

listic view of reality appears as the reference to it as to a series of points each two of which are to be considered as related to each other as closely as possible.

As for the Jewish tradition, one can already find rationalism in the Bible. On the one hand, for example, there are in Genesis the stories of the creation of the world and the making of man and woman, of the making of language, of the building of the Babylonian tower, and others which can be regarded as symbolic expressions of what could be called constructivist rationalism with its concept of the *necessity* of existence and some basic predetermined structure of the world. To this example can be added the detailed description of the temple and the sanctuary presented in Deuteronomy. On the other hand, one can find, for example, in Genesis and Exodus, with their stories of the *naming* of the places connected to the history of the Jewish people, beautiful examples of what could be called itinerary rationalism with its concept of fixation of the significant or meaningful points which appear in the course of movement of some entity (Israel) in space and time. This kind of rationalism is connected not so much with acting as such but with such specific kinds of acting as saying and writing.

The Talmud, with its concept of making “a fence round the Torah” (Avoth 1:1), demonstrates how both kinds of rationalism can be combined.

In the famous Talmudic legend from Menahoth 29b,⁴ which concerns God “engaged in affixing coronets [wreaths or crowns] to the letters,”⁵ one can find a paradigmatic expression of Talmudic rationalism. In this story, God, following actually the principles of interpretation of the Bible (*middot*) elaborated by R. Akiba ben Josef, completes the letters by coronets without which the correct meanings of the letters as well as the meaning of the whole text of the Bible now cannot be attained. It becomes clear from the passage that the Bible is considered in the Talmud first of all as the text that is as a structure which has its specific construction made of some specific elements connected to each other in some order that is according to some rules of connection. It is in these rules’ (*middot*) application that the Bible reveals its true meaning. Therefore, the Talmud is concerned first of all with these rules (*middot*). And everywhere in the Talmud where we find *middot* we find rationalism.

The sages of the Talmud were concerned not with Biblical interpretation as such but rather with those conditions under which it must be necessarily accepted as true. To be accepted as true, an interpretation of a situation must fit a special scheme (*davar*) of interpretation in accordance to which a furnishing structure has to be affixed properly to the basic structure of the text. This scheme is presented by certain linguistic elements of the text of the Torah, which thus must be considered as the normative example of application of this scheme to concrete situations of life. Any reaction to a situation is accepted as real only if it was filtered by such a kind of interpretation.

⁴ For an English translation of this passage and a detailed discussion of it see Dymerecs, “Tradition-alism and Rationalism,” 58–62.

⁵ These are the *Taggin*, i.e., three small strokes written on top of the letters **שעטנניצ** in the form of a crown.

The general aim of Talmudic interpretation thus appears as twofold: it has both to include into the sphere of the accepted everything that fits the scheme of acceptance which is the divine word and to exclude from that sphere everything that does not fit to the scheme. The scheme of interpretation was developed in the *middot* associated mostly with Hillel (Sifra, introd. 1:7; Tos. Sanh. 7: end), R. Akiba, and R. Ishmael (Sifra, introd. 5).

Every Talmudic interpretation of the biblical text consists of *two* kinds of mental operation: first of all the meaning of a verse should be singled out, and then the meaning must be applied to another biblical verse connected in a way to the first one. *Middot* are designed to connect different verses of the text and to convey a meaning from one verse to another.

In the Talmud, meaning is designated by the term *ta'am*. The word *ta'am* is found in later biblical Hebrew and in biblical Aramaic. It means a "decree," as for example, "Everything that is by the decree [*min ta'am*] of the God of heaven is to be done diligently" (Ezra 7:23). In the Talmud, however, its meaning developed. It now came to mean the reason or the meaning of a decree. Thus one of the most frequently asked questions in the Talmud is "what is *ta'am* of this decree?" — "*M'ai ta'ama?*" ("What decree, [as its meaning,] is matched to [the decree in question]?") Every decree contains its meaning *in* that sense in which it is based on some other decree with which it is matched and with which it goes as a pair of two mutually additional meanings. Meaning taken from a verse — but not abstracted from it and thus not transformed into a notion — is contained enveloped in the sense of *this* concrete verse which is the description of a certain concrete situation: the verse with its sense serves as the container the borders of which are both adjusted to the meaning of Torah and contain it within themselves, and only in such a container it can be duly applied to another verse as the basis for its interpretation. This is what is said in the Mishna: "Make a fence round the Torah" (Ab. 1:1).

The first verse (word, *davar*) is to be turned in that way as to serve as the container for the basic meaning in which it is transported as in a vehicle to the second verse making thus with it a *datum* given in form of a *dictum*. As David Novak observes pointing out to the philosophical meaning of R. Akiba's method of interpretation as opposed to that of R. Ishmael, "precisely because the Torah does not speak by means of human language, its words must be seen as one would see the entities of nature."⁶ That means, in particular, that R. Akiba's *middot* are based on his concept that the words are to be *sensed* by humans precisely as things from which reality consists of are.

In Greek philosophy, a natural entity is generally seen as consisting of a substance and its attributes. In Akiban interpretation, which, as every interpretation, presents a way of making reality, the basic meaning contained and transported in its textual form of a verse as in a vehicle stands for the substance while the interpreted verses stand for the attributes. In this way R. Akiba makes the meanings to be as sensible as the entities

⁶ David Novak, "The Talmud as a Source for Philosophical Reflection," in *History of Jewish Philosophy*, ed. Daniel H. Frank and Oliver Leaman (London—New York: Routledge, 1997), 56.

of the nature are. And only as a sensible entity can a meaning be accepted in the Talmud as something as true as a thing. That means that the laws of the *halakha* appear in Talmud as sensible as entities of nature appear in Greek natural philosophy and are regarded in the Talmud as the true reality; that is, as the only entities that have real meaning.

In order to make a reality by the means of interpretation one has to convey a meaning to a specific place in the text as an element of a construction which has to be delivered to a specified place within the whole structure of the building making thus a necessary investment in the construction.

In the Akiban way of understanding the nature of the Torah, the words – even at times the letters and coronets affixed to the letters – of the Torah have not only an ontological status, as Novak argues,⁷ but also a physical and maybe even a physiological one. When one conveys some material (which is here the meaning of a biblical verse) – using some special vehicle (a biblical verse) properly designed for an implementation of the task of delivering of the meaning from one place to another in the general world structure, notably, from one concrete situation of life to another – one should have appropriate directives in order to know where the material is to be taken from and where it has to be delivered to within the building (construction).

And it is these directives that are regarded in the Talmud as the decrees (or meanings) properly applied to the task of making or maintaining reality. In order to be properly applied to the task they have to be furnished as special or logical rules of interpretation – *middot*. Only as matched with some previously established decree can some new proposition obtain the status of a presently normative rule, or a directive. An establishment or acceptance of a new (decreed) direction (of behaviour) must be based on some previous (decreed) direction which has been established by the authoritative source of (all) decrees. It is, then, mostly a question of where the source of the rule is located in older and more authoritative texts, and how the present rule was actually derived from the designated source (see, for example, Kidd. 68b on Deut. 21:13). Thus, in the already mentioned Talmudic legend (Men. 29b), Moses is portrayed as being disturbed that he could not understand the intricate legal interpretations of R. Akiba, into whose second-century CE academy he had been miraculously transported incognito. But, as the legend continues, he felt better after R. Akiba answered a student's question – “Rabbi, what is your source?” – by saying, “It is a traditional law [halakhah] from Moses at Sinai.” As this text indicates, the student's question was, in fact, “where is the authority of this law by whose command it is to be delivered to us?”

Therefore, there are two layers of meaning in a verse of the text which are related to each other as two mutually additional elements *in* the text and which justify each other. The meaning of the text is thus composed of two kinds of meaning which add to each other in the text: one of these meanings is the meaning of the authoritative text and the second one is the plain meaning of the text in question that is the meaning of the text taken without the meaning of the authoritative text. And there appears also the third

⁷ Ibid.

meaning as a composition – made in accordance to the *middot* – of the two in which the first one serves as the basic structure and the second one as the superstructure. None of the elements is to be considered as accidental here but both are necessary for making the true/real meaning of the text. For R. Akiba there is no subordination, but interaction (mutual application) between (of) words of equal value (see Shebu. 26a).

What R. Akiba actually does in this way can be stated as follows: he applies some already existing, ready in hand, traditional means, which one finds in the basic structure of the Torah, for delivery of some content (the meaning of Torah) to the different cases in the life to which it can be applied. (They *can* be applied in so far as there are some classified *sensual* – that is perceived purely by human senses, for example, visually – similarities between the two places of the text. Without such sensual similarities one does not have a basis for reasoning. This is why reasoning comes from human sensitivity as its source, and this is why reason, or meaning, is here an appearance of the human ability to sense.)

R. Akiba's aim is to apply the Torah to solving life problems in order to preserve the Jewish people, while R. Ishmael's aim is, on the contrary, to apply Jews for preserving the basic structure of the meaning that is for preserving of the Torah. R. Akiba applies meaning (of the Torah) for preserving of natural entities (Jews), while R. Ishmael applies natural entities (such as Jews and the Hebrew language, which he considers as such kind of entity as well) for preserving the meaning (of the Torah).

A decree can be accepted if and only if it is based on some other decree authority of which comes from the universal source. To be accepted, a decree must be based on the true tradition of acceptance which consists of the rules of acceptance (*middot*) which have been formulated by R. Akiba and R. Ishmael. The difference between their rules indicates the difference between their concepts of the structure. R. Akiba, in contrast to R. Ishmael, preferred to base midrashic interpretation on close readings of certain words and letters in the verse under examination itself, and not to rely upon general exegetical rules (*middot*). According to R. Akiba, the principle of interpretation of the text is imbedded in the text and should not be taken from somewhere outside the text. According to R. Ishmael, the principle of interpretation of the text is in the addressee to whom the text is directed as the message (the text is constructed already in such a mode as to be appropriately perceived by humans to whom it is addressed).

For R. Akiba, interpretation is included in the text itself in that sense that there are such elements in the text which determine in every *particular* case which meaning is included in the verse and thus is to be accepted; therefore, all the other meanings are to be excluded from it. There are *general directives* for many *particular cases*. That means that there are general types of *commands*, all presented in the text, which are to be applied to many different cases which are united by the fact that they are *responsive* to some particular type of command or addressing. Every element of the text is at one and the same time both general and particular: it is general as a command that is addressed to many different addressees, and it is particular as an addressee which necessarily responds to some general type of command. To be a part means here not only to be a part of a whole

structure but to be an element within the community of the particles to which some directive command is addressed. The elements are responsive to the command not because they have something in common but they have something in common because they are responsive to the same command. The directives that make a multitude of elements to be a text are included in the text of the Torah, constituting thus generally and in every particular case the *meaning* of the text.

R. Akiba's rules of interpretation are those of inclusion or confirmation of acceptance (*ribbui*) and exclusion or denial (*mi'ut*). (Every element of the text in each particular case is met either with "yes, you are *in*" or with "no, you are *out*.") When found together these terms denote a variation of the *kelal u-ferat* rules (Shebu. 26a). The term *ribbui* is also used to denote that the Hebrew particles *af*, *gam*, *et* indicate an inclusion or amplification, and the term *mi'ut* to denote that the particles *akh*, *rak*, *min* indicate an exclusion or limitation. (These particles are the directives that either introduce an element within some limits that make some meaning within the text as a whole or leave it out of them depriving it thus of a special contextual meaning but not of any meaning. Everything is meaningful but not in every case.) This method of interpretation proceeds from the premise that every word of Scripture has significance due to the meaning it contains in itself and which is revealed when the directives are applied to it as the commands "in" and "out" or "yes" or "no." The particles are those elements in the construction that indicate the places where a special meaning is attached to the basic structure. For instance, the particle *et* begins the verse "Thou shalt fear the Lord thy God" (Deut. 10:20). This implies that the application of the verse is extended to include reverence for scholars (Pes. 22b). According to Akiba's school the use of the infinitive absolute (which repeats the verb) implies an amplification. An example is "That soul shall utterly be cut off" (Num. 15:31) — "*hikkaret tikkaret*." R. Akiba remarks, "*Hikkaret* in this world, *tikkaret* in the world to come." The word *kol* ("all") is treated as a *ribbui*. For example, the duty of recalling the Exodus "all [*kol*] the days of thy life" (Deut. 16:3) devolves upon one at night as well as by day (Gen. 1:5). Dots (*nekuddot*) found over certain letters are interpreted as calling attention to some special feature, e.g., over *va-yishakehu*, ("and he kissed him"; Gen. 33:4), to teach, according to one opinion, that Esau was completely sincere (Gen. R. 78:9). Two general rules found frequently are *ein mukdam u-me'uḥar ba-Torah* ("the Torah does not proceed in chronological sequence"; Pes. 6b), which means that Torah is not to be considered as a way or a trajectory composed of points, and *ein mikra yoze mi-ydei feshuto*, "a Scriptural verse never loses its plain meaning," i.e., regardless of any additional interpretation (Shab. 63a; Yeb. 24a) every Scriptural verse contains the directive commands addressed to it in itself.

There are only two positions in relation to a decree: to be in (to be included into the sphere of those elements to which it is addressed) or to be out (to be excluded from the sphere). Both positions, however, are meaningful because they are related to the sphere.

R. Ishmael denies all this Akiban scheme of interpretation (of the maintaining reality) by his famous words: "The Torah speaks in human language," i.e., the duplica-

tion of the verb is according to regular Hebrew usage and therefore carries no additional implication (Sif. Num. 112). R. Ishmael means that Torah as a text is fully within the limits of human faculty to *perceive* only those messages that structured as human language. There is nothing in human language that would point to something outside human experience and human nature. The *sense* has to be extracted not from the elements of the text as representing some meaning which transcend the present human condition and which, in the act of interpretation, presumably, as R. Akiba argues, have to be added to what is already in human nature, but from the humans themselves who approach the text in a specifically human way. The text is intended to remind them of what they already know as humans, and that knowledge is already structured in that fashion as to dwell in them.

R. Ishmael's aim is not to provide means for presenting meanings as natural things but to invoke in humans some specifically human feelings during the process of reading of the text. Meanings are not in the text but rather in humans. The text presents just the means to actualise these meanings in them, to make them *attentive* to the meanings. It is this aim for which R. Ishmael's thirteen rules of interpretation were designed. Through the text of the Torah humans should approach not the text but themselves. The meaning is placed in humans, not in the Torah as such, but it can be actualised in them when they read the Torah following the right order of its structural composition.

Humans, notably Jews, are to be used, as the vessel for preservation of the Torah's meaning.

Therefore, R. Ishmael has a concept of the relations between the elements of the structure which is very different from that of R. Akiba. The relations between even two elements of the text are not directed (decreed, commanded) by the linguistic means that is independent from human attitudes but, on the contrary, they express human natural intention to approach everything in terms of good and evil. So, in the basis of interpretation is the *attitude* to the other. This attitude is a kind of comparison, notably that of getting closer, or *attuning* to the other's *manner* of expression. Different expressions in the text reflect actually the different *states of perception* that were expressed by different humans who have experienced Revelation. One can get the truth of Revelation only through attuning oneself to the experience of those who have already received the truth. This means that one has to attune oneself not to the linguistic meaning of all the different elements of the text but to the way of perception of those whose experience of perception of the truth is expressed in the text. One must follow the text as the directive expression of the states of perception in which the truth can be perceived. To follow the rules means to proceed through the textual expressions to an appropriate state of perception and experiencing of what is expressed in the text.

By following the rule of *gezerah shavah* one enters into a comparison of similar expressions. It is probable that etymologically the word *gezerah* means "law" (in the sense of an attitude taken as a directive) – as in Dan. 4:4, 14 – so that *gezerah shavah* would mean a comparison of two similar laws or directives (Betz 1:6); if the same word occurs in two Pentateuchal passages, then the law applying (the directive attitude expressed) in

the one should be applied to the other (one has to read the other passage as an expression of the *same* attitude, but one does not have to interpret it as the same means for the expressions of only one of the two directives, those of inclusion or exclusion as R. Akiba implies). The actions decreed by the law are actually the directive attitudes which can be accepted only through invocation in humans of some special feelings, not sensations as R. Akiba implies.

Similar to the *gezerah shavah* but not identical with it are the rules of *hekkesh* (“comparison”) and *semukhim* (“juxtaposition”).

The rule of *hekkesh* implies that if two different laws (the directive attitudes applied as vehicles for reaching an appropriate state of perception) are present at the same time at the same place (verse) they bear in themselves a similar meaning for which they are presented here and now. (In Aristotelian logic, two different things cannot be present in the same place at the same time. But a verse text is a special place where different things can be present at the same time. However, those things are of special nature, because they are meanings. Text here functions as a special construction made by matching laws as the vehicles. However, they are matched here not as basis and superstructure which makes sense of the basis by directing it in or out in relation to the topic discussed in every particular case, as in Akiba’s construction.)

Semukhim refers to the juxtaposition of two laws in two adjacent verses. For example, “Thou shalt not suffer a sorceress to live; Whosoever lieth with a beast shall be put to death” (Exod. 22:17, 18). Just as one who lies with a beast is put to death by stoning, so, too, a sorceress is put to death by stoning (Ber. 21b). What one has here is the juxtaposition of some two modes of the same basic situations. Every “particular” situation is just a mode of one basic situation. The basic situation is the normative or rather directive situation. The directive here is, however, not an indication of whether an element is in or out in the relation to the common structure (the text) but that what makes it possible to compare them, to consider them in relation to one another. A situation as a matter of discussion appears here as the result of the meeting, the juxtaposition of two different modes of the basic situation. Every rule is intended to show a relation either of a mode to the basis or of different modes to each other. The basis here is always the human attitude to reality. This attitude is based on human mode of discerning between good and evil. This is why every verse in the text is structured as to appeal to human inclination to qualify everything in terms of good and evil.

R. Ishmael, in fact, develops what was already established by Hillel who interpreted good deeds for humans as those that were directed first of all toward their own personal good. “If I am not for myself, who is for me?” (Ab. 1:14). A person must care of himself or herself as a body structure which is a human’s basic structure. There is a story of Hillel which illustrates his thought:

When he [Hillel] took leave of his students, he used to go off for a walk. His students asked him: “Where are you walking to?” He answered: “To perform a meritorious deed.” – They said to him: “And what is this deed?” – And he said to them: “To take a bath in the bathhouse.” – They said to him: “And is this a meritorious deed?” – He an-

swered: “It is; if the statues erected to kings in the theaters and circuses are washed and scrubbed by those in charge of them... how much more should we, who have been created in His image and likeness, take care of our bodies, as it is written: For in the image of God made He man” (Gen. 9:6).

For Hillel, human body structure is not static like that of statues but dynamic, in a very special sense which can be inferred from his next story, which is a variation on the previous one. Once Hillel who walked by a group of his students was asked by one of them:

“Rabbi, where are you going to?” – To which he answered: “To do a charitable deed for a guest in my house.” – They said to him: “Does this guest stay with you every day?” – He answered: “This poor soul – is it not a guest in the body, here today and gone tomorrow?” (Lev. R. 24:3).

What Hillel means here is that one must care for one’s body as for the house (building or structure) which is the place for *meeting* with one’s soul as with the *guest* in this house. The body is *the* place in relation to which one’s soul can be either *in* or *out*. And now R. Akiba’s rules of inclusion and exclusion are to be taken in a more deep sense than just rules of interpretation of the text. In this context we can recall also the story of R. Akiba’s reward as it is told in Menahoth 29b⁸.

As for Hillel’s view on the question of reward and punishment, it is expressed in his statement preserved in the following story: “He saw a skull floating on the surface of the water, and said to it, ‘Because you drowned someone, you will be drowned, and the end of those who drown you will be that they will be drowned.’” We may compare it with his saying: “What is hateful to you, don’t do to your companion” (cf. Tob. 4:15; Sif. Kedosh. ch. 4:12 and Gen. R. 24). This means that your attitude toward others will be turned against you, and your attitude is reflected in your deeds. So, your deeds will be turned against you. One can draw from this that all of your deeds whatever they are directed to are turned toward your good or toward your bad. Whatever you direct your attitudes and deeds toward will (re)turn to you. It should be noticed that this system of thought is not based on Aristotelian law of non-contradiction (A cannot be non-A). According to Hillel, your deeds and the deeds directed toward you are actually originally the same deeds. That means that what you do and what you are passively taken are actually the same. Both deeds are one and the same deed because their meaning is the same. The meaning here is an attitude toward; it is specified as “what you *hate*.” “Don’t do to your companion what is hateful to you” means: do not *add to your companion* that is to the one who *goes along your way* what you do not bear to be added to you. You do not bear to be added to you what is undue to you. And this undue is the dirt which you must to wash off from you. Your wrong attitudes are this undue which must be washed off from you. You are *not* identical to you because you have this dirt of your wrong attitudes *on you*. This is why you must regularly *clean your house, your body, your structure*. But your structure is *much more* than the structure of a statue because it

⁸ See Dymerets, “Traditionalism and Rationalism,” 49–69.

consists not only of your *bodily attitude*, or disposition, which is the *shape* of the body but also of your *spiritual attitudes*; all this is your attitude to what you like or do not like to be *added* to you. A spiritual attitude is the attitude toward your way of being. This is why in this attitude you are always *turned* to yourself. “To do” something here means to *add* something to your companion. So, the requirement do not do to your companion what is hateful to you means do not add by any of your deeds to your companion what you would have not certainly borne would it have been added to you. Hillel’s statement presents, in fact, his answer to the question: What do I have to do with what I hate to bear upon myself and which I at the same time has not to throw out of me, because in this way it would inevitably to afflict some of my companions and then inevitably will return to me? It cannot be with me and it cannot be out of me as well. So, *where* does it have to be?

When you *hate* something you *by this very hating* already *do* something wrong and evil for your companion (and this your wrong and evil deed will inevitably return onto you). So, this is actually the prescription: do not hate anything. Do not have such an attitude toward anything as do not want to carry it with you. But what is the attitude toward something? It is not something that can be formalised in the Aristotelian manner. An attitude toward something is a *care of* something. To be careful *includes* being attentive. These *inclusions* and *exclusions* are subjects of Hillelian logic. Attitude includes care, care includes attention, and so on. But attitude is not something more general as according to care, as well as care is not something more general as according to attention. Their relations are *symbolic* ones. Every one can include every other, and *vice versa*. This is *the core* of Hillelian logic, developed in his *middot* and in *middot* of R. Akiba and R. Ishmael.

Let us now examine maybe the most famous among R. Ishmael’s rules, that of *kal va-ḥomer*.

Kal va-ḥomer (more accurately *kol va-ḥomer*) is an argument from the *less* complete knowledge (*kal*) to the *more* complete knowledge (*ḥomer*). (In R. Ishmael’s thought the “more” and “less” are definitely opposed to more strict “inclusive” and “exclusive” of R. Akiba. R. Ishmael is more concerned with the question of the *completeness* of knowledge of the Law than with that of the way of its *organisation* within the text of the Torah.) The Midrash (Gen. R. 92:7) traces its use to the Bible (cf. Gen. 44:8; Exod. 6:12; Num. 12:14; Deut. 31:27; 1 Sam. 23:3; Jer. 12:5; Ezek. 15:5; Prov. 11:31; Esther 9:12). The following two examples may be given: (a) It is stated in Deut. 21:23 that the corpse of a criminal executed by the court must not be left on the gallows overnight, which R. Meir takes to mean that God is distressed by the criminal’s death. Hence, R. Meir argues: “If God is troubled at the shedding of the blood of the ungodly, how much more [*kal va-ḥomer*] at the blood of the righteous!” (Sanh. 6:5); (b) “If priests, who are not disqualified for service in the Temple by age, are disqualified by bodily blemishes (Lev. 21:16–21) then levites, who are disqualified by age (Num. 8:24–25), should certainly be disqualified by bodily blemishes” (Hull. 24a). Example (a), where the “less” and “more” are readily apparent, might be termed a simple *kal va-ḥomer*. Example (b)

might be termed a complex *kal va-ḥomer*. Here an extraneous element (disqualification by age) has to be adduced to indicate which is the “less” and which the “more.” Symbolically the two types can be represented as *simple*: if A has X, then B certainly has X. *Complex*: if A, which lacks Y, has X, then B, which has Y, certainly has X. *Kal va-ḥomer* should not be identified with an Aristotelean syllogism. First, the element of “how much more” is lacking in the syllogism. Second, the syllogistic inference concerns genus and species:

All men are mortal.
Socrates is a man.
Therefore Socrates is mortal.

Since Socrates belongs in the class “man” he must share *substantial* characteristics of that class (every element of a class has the *same* substantial characteristics which has the class as a whole). *Kal va-ḥomer*, however, deals not with substantial characteristics but with attitudes, or relations toward some other being. However, in the *kal va-ḥomer* it is not suggested that the “more” belongs in the class of the “less,” but that what is *certainly present* in what is the “less” complete must be with *much more certainty* present in what is the “more” complete.

The *more complete* is more complete because it has something *additional* to the *less complete*. This *additional* is some *symbolic expression*. Thus a “bodily blemish” is a symbolic expression of old age: aged persons have bodily blemishes. *If B symbolizes A, and the presence of A in D is enough for having attitude C toward D then the presence of B in D is much more enough for having attitude C toward D.* What does it mean to be “much more enough”? Enough means that some thing is already much more close to the state of being filled with some content needed for the thing as it could be led to its complete realisation. Realisation cannot be more than full. Therefore, “much more enough” means *much more guaranteed to be realised*, or being in a position which is much closer to the position of the complete realisation.

What is measured here in terms of “much more” is the attitude toward a situation. “If the situation S makes one feel A, the situation S+ *will* make the one feel A+.” “+” here means not that A+ has more *parts* of A than A itself does but that A+ has something *additional comparing* to A, and this *addition* is also present in S+, moreover, this addition is present *actually in S+* even in that case if S+ itself is yet or already not present actually. The addition, the “+” is already inbuilt in S+ as well as in A+. And the meaning of the saying is that this situation is *not* S but S+. The attitude toward a situation is the basis on which the situation is measured, defined but the “+” is something “more” than just attitude – it is the *level of applicability* of the attitude, the level of *closeness*, the level of inclusiveness into the situation or of exclusiveness from it. It is the indicator of the actual *entering* into the meaning of the situation. And this addition of entering into the situation when it is already inbuilt or installed into the situation S makes it to be the situation S+. The level of closeness determines here the level of *certainty*. The more attitude is close to the situation, that is the more the “+” of A is close to the “+” of S, the more certain that is the more close or relevant to S+ would be the

decree (*ta'am*) on the situation which *must* be the full and strict expression of the meaning of the situation. The level of closeness in every case is defined by the *angle of deviation* of the “+” of A from the “+” of S.

Addition is always something of a symbolic rather than a notional nature. This is why it can be marked but cannot be attributed. The *symbol* or *mark* (“+”) has *much more instructive* or *directive* power than *notion* because it is present both in situation and in an attitude toward the situation. It much more warrants realization of a meaning than notion does. To be of old age here is a notion which describes a situation (S), this is why it is also S, while blemish is a symbol of the notion, this is why it is S+. And, what is very important is that *symbol is prior to notion*. In Aristotelian logic, symbol does not have a *substantial* connection to notion or term; it has an accidental connection to it. It can be conventionally replaced by another symbol. But in Hillelian logic, symbol has the *governing* or *directing* power over notion or term. If there is a *prescribed* symbolic expression of a term, and it is related to some deed, the term is *much more* related to the deed than the expression. Symbol *leads* to term and *directs* it; it tracks the way to the term.

The principle of *dayyo* (“it is sufficient”), that the conclusion should advance only as far as the premise and not beyond it, is a qualification of the *kal va-ḥomer*. It should not be argued in relation to the principle that if A has X, then B has X + Y. The *kal va-ḥomer* suffices only to prove that B has X, and it is to go beyond the evidence to conclude that it also has Y. As I have argued above, in order there could be a movement from a less complete to a more complete (that is in order there could be a tradition), the passing from one state to another must go not as summing of properties, like X, X + Y, X + Y + Z, and so on, but by adding of symbols, like X, X+, X++, and so on.

The principle of *kelal u-ferat* denotes general indication (generally applicable symbol) and particular indication (particularly applied symbol, particular term). If a law is stated by application of general symbols and followed by particular instances, the application of the law is limited to the sphere of the particular instances. For example: “Ye shall bring an offering of the cattle, even of the herd and the flock” (Lev. 1:2). Even though the term “cattle” normally embraces the “beast” (i.e., non-domesticated cattle), the latter is *excluded* by the particular limitation, “the herd and the flock” (Sifra, introd. 7). Particular limitations that *add more certainty* to the statement make it *less inclusive*. Specification of the *way* of expression *leads* to its limitation. This is about the way from the “more” to the “less.”

The principle of *perat u-khelal* denotes particular indication (particularly applied symbol, particular term) and general indication (generally applicable symbol). If the particular instances are stated first and are followed by the general category, instances other than the particular ones mentioned are included. Example: “If a man deliver unto his neighbor an ass, or an ox, or a sheep, or any beast” (Exod. 22:9) – beasts other than those specifically mentioned are included (Sifra, introd. 8). The less certainty is in a statement, the more it is inclusive. This is the way from the “less” to the “more.”

The principle of *kelal u-ferat u-khelal i attah dan ella ke-ein ha-perat* denotes general indication, particular indication, and general indication – you may derive only

things similar to those specified. For example, “Thou shalt bestow the money for whatsoever thy soul desireth [*kelal*] for oxen, or for sheep, or for wine, or for strong drink [*perat*] or for whatsoever thy soul asketh of thee [*kelal*]” (Deut. 14:26). Other things than those specified may be purchased, but only if they are food or drink like those specified (Sifra, introd. 8). The way of the application is from a certainty level to an attitude (“whatever thy soul desireth”).

The principle of *kelal she-hu zarikh li-ferat u-ferat she-hu zarikh li-khelal* denotes that the general indication requires the particular indication and the particular indication the general. Specification is provided by taking the general and the particular together, each “requiring” the other. An example is, “Sanctify unto Me all the first-born” (i.e., males – Deut. 15:19), “whatsoever openeth the womb” (Exod. 13:2). A first-born male would have been understood as included in the term “all the first-born” even if a female had previously been born to that mother. Hence, the particular limiting expression “whatsoever openeth the womb” is stated. But this term would not have excluded one born after a previous Caesarian birth, hence the general term “all the first-born” (Bekh. 19a).

The principle of *davar she-hayah bi-khelal ve-ya'za min ha-kelal lelammed lo lelammed al azmo ya'za ella le-lammed al ha-kelal kullo ya'za* denotes if a particular instance of a general rule is singled out for special treatment, whatever is postulated of this instance is to be applied to all the instances embraced by the general rule. For example, “A man, also, or a woman that divineth that by a ghost or a familiar spirit, shall surely be put to death; they shall stone them with stones” (Lev. 20:27). Divination by a ghost or familiar spirit is included in the general rule against witchcraft (Deut. 18:10f.). Since the penalty of stoning is applied to these instances, it may be inferred that the same penalty applies to all the other instances embraced by the general rule (Sanh. 67b).

The principle of *davar she-hayah bi-khelal ve-ya'za liton to'an ehad she-hu khe-in-yano ya'za lehakel ve-lo leha'hmim* denotes when particular instances of a general rule are treated specifically, in details similar to those included in the general rule, then only the relaxations of the general rule and not its restrictions are to be applied in those instances. For example, the laws of the boil (Lev. 13:18–21) and the burn (Lev. 13:24–28) are treated specifically even though these are particular instances of the general rule regarding plague-spots (Lev. 13:1–17). The general restrictions regarding the law of the second week (Lev. 13:5) and the quick raw flesh (Lev. 13:10) are, therefore, not be applied to them (Sif. 1:2).

The principle of *davar she-hayah bi-khelal ve-ya'za liton to'an aher she-lo khe-in-yano ya'za lehakel-leha'hmim* denotes that when particular instances of a general rule are treated specifically in details dissimilar from those included in the general rule, then both relaxations and restrictions are to be applied in those instances. For example, the details of the laws of plague in the hair or beard (Lev. 13:29–37) are dissimilar from those in the general rule of plague spots. Hence, both the relaxation regarding the white

hair mentioned in the general rule (Lev. 13:4) and the restriction of the yellow hair mentioned in the particular instance (Lev. 13:30) are to be applied (Sifra 1:3).

The principle of *davar she-hayah bi-khelal ve-yaʒa lidon ba-davar heḥadash i attah yakhol lehaḥaziro li-khelalo ad she-yaḥazirennu ha-katuv li-khelalo be-ferush* denotes that when a particular instance of a general rule is singled out for completely fresh treatment, the details of the general rule must not be applied to this instance unless Scripture does so specifically. For example, the guilt offering of the leper requires the placing of the blood on the ear, thumb, and toe (Lev. 14:14). Consequently, the laws of the general guilt offering, such as the sprinkling of the blood on the altar (Lev. 7:2) would not have applied, were it not for Scripture's stating: "For as the sin offering is the priest's, so is the guilt offering" (Lev. 14:13), i.e., that this is like other guilt offerings (Yeb. 7a–b).

The principle of *davar ha-lamed me-inyano ve-davar ha-lamed misofo* denotes the meaning of a passage may be deduced: (a) from its context (*mi-inyano*) or (b) from a later reference in the same passage (*mi-sofo*). As an example of (a), "Thou shalt not steal" in the Decalogue (Exod. 20:13) must also refer to the capital offense of kidnapping, since the two other offenses mentioned in the same verse, "Thou shalt not murder" and "Thou shalt not commit adultery," are both capital offenses (Mekh. Bah. 8:5). In example of (b), "I put the plague of leprosy in a house of the land of your possession" (Lev. 14:34), refers only to a house built with stones, timber, and mortar, since these materials are mentioned later in verse 45 (Sifra, introd. 1:6).

The principle of *shenei khetuvim ha-makhḥishim zeh et zeh ad sheyavo ha-katuv ha-shelishi ve-yakhri'a beineihem* denotes when two verses contradict one another until a third verse reconciles them. For example, one verse states that God came down to the top of the mountain (Exod. 19:20), another that His voice was heard from heaven (Deut. 4:36). A third verse (Exod. 20:19) provides the reconciliation. He brought the heavens down to the mount and spoke (Sifra 1:7).

The principle of *binyan av mi-katuv eḥad* and *binyan av mi-shenei khetuvim* denotes an inference from a single verse, and an inference from two verses. (A construction – *binyan* – in which the premise acts as a "father" – *av* – to the conclusions drawn from it.) For instance: (a) "He shall pour out the blood thereof and cover it with dust" (Lev. 17:13) – just as the pouring out of the blood (the act of slaughter) is performed with the hand, so must the covering be done with the hand, not with the foot (*hekkesh*). R. Joseph derives from this that no precept may be treated disrespectfully. He observes: "The father of all of them is blood," i.e., from the law that the precept of covering the blood must be carried out in a respectful manner it is learnt that all precepts must be so carried out (Shab. 22a). (b) According to the rabbinic interpretation of Deut. 23:25f., a farm laborer, when working in the field, may eat of his employer's grapes and standing corn. May he likewise eat of other things growing in the field? This cannot be derived from the case of the vineyard, for the owner of a vineyard is obliged to leave the gleanings to the poor (Lev. 19:10), and it may be that since the owner has this obligation, he also has the other. Nor can it be derived from the case of standing corn, for

the owner of standing corn is obliged to give *hallah*, the priest's portion of the dough (Num. 15:17–21). Taking the two cases together, however, others can be derived from them. For the decisive factor in the case of the vineyard cannot be the gleanings, since the law of gleanings does not apply to standing corn. Nor can the decisive factor in the case of standing corn be *hallah* since *hallah* does not apply to a vineyard. The factor common to both vines and standing corn is that they are plants, from which it may be inferred that the law applies to all plants. The peculiarities of each case cannot be decisive since they are different from each other; the common factor is decisive. Symbolically they can be represented as:

A+..... +
 A+ - +
 A- +..... +
 A+ - +..... +

As the standard for certainty must be established what is the *most* inclusive. Therefore, the task is in all present cases to find the symbol which is the most applicable and thus the most inclusive.

Concerning the *middot* of R. Ishmael, one can notice that the *more complete* actually does not mean *general* as well as the *less complete* does not mean *particular*. A *more complete* saying expresses a term – but only in relation to a *less complete* (words become terms only in relations of symbolic comparison) – while the *less complete* symbolises it. Taken together they compound a pair: term (*ferat*) – symbol (*kelal*). A word is to be considered as a term only in its relation to a symbol, and vice versa. The *middot* of R. Ishmael present directive *combinations* of terms and symbols (T – S – T; S – T – S). The *less complete* contains in itself at the present the same symbolic material (meaning) which is contained *much more*, that is with much more certainty, in the *more complete*. This logic, in fact, contains in itself the requirement to care of everything because every thing can be regarded as just less complete expression (*davar*) of a more complete expression, and, finally, of the most complete word which is the Scripture. Following the *middot* thus is the *way* from a less complete state to the most complete state.

These Talmudic approaches to interpretation of the Biblical text which is application of the meaning of the text to different situations in reality are mutually complementary. They are designed for different kinds of situations and each has its limitations. However, each of them does present a system of interpretation based on the concept of the existence of a connection between a pair of fundamental concepts which are those of inclusion – exclusion (in R. Akiba's method) and more – less (in R. Ishmael's method). Both these pairs of concepts are conceived of as to direct the human mind to the state of full comprehension of the meaning of the Torah, which must be expressed in its ability to derive laws for every possible situation on the basis of already existing laws obtained from God through His Revelation.