

Thirteen Principles of Rabbi Yishmael & Their Explanations

Sifra B'raita d'Rabbi Yishmael

R. Yishmael says: The Torah is expounded by thirteen hermeneutical principles:

1) *kal vachomer* (a fortiori).

2) *gezeirah shavah* (Identity).

3a) *Binyan av vekathuv echad* (a general rule implicit in one verse). 3b) *binyan av mi'shnei kethuvim* (a general rule derived from two verses).

4) *klal u'frat* (general-specific).

5) *prat u'klal* (specific-general).

6) *klal u'frat u'klal* (general-specific-general).

7) *klal sh'hu tzarikh li'frat u'frat sh'hu tzarikh li'klal* (general requiring specific and specific requiring general).

8) *kol davar sh'hayah bi'khllal v'yatza min hakllal lelamed, lo lelamed al atzmo yatza ela lelamed al hakllal kulo yatza*. (Anything which was subsumed in a general category, and departed from that category to teach (something) — not in order to teach about itself did it depart, but in order to teach about the entire category did it depart).

9) *kol davar sh'hayah bi'khllal v'yatza min hakllal lit'on to'an acher sh'hu ke'inyano, yatza lehakel v'lo lehachmir*. (Anything which was subsumed in a general category, and departed from that category for a particular requirement thereof, departed for leniency and not for stringency).

10) *kol davar sh'hayah bi'khllal v'yatza min hakllal lit'on to'an acher shelo ke'inyano, yatza lehakel ulehachmir*. (Anything which was subsumed in a general category, and departed from that category for a particular requirement foreign to it, departed both for leniency and for stringency).

11) *kol davar sh'hayah bi'khllal v'yatza min hakllal lidon badavar hechadash, ē ata yachol lehachziro li'kllalo ad sheyachzirenu hakathuv lichlallo befeirush*. (Anything which was subsumed in a general category, and departed from that category for a new learning, cannot be restored to that category unless Scripture restores it explicitly).

12a) *davar ha-lamed me'inyano* (something learned from context). 12b) *davar ha-lamed misofo* (something learned from its end).

13) *shnei kethuvim hamakchishim zeh eth zeh ad sheyavo hakathuv hashlishi veyachriya beneihem* (two verses that contradict each other until a third verse comes and resolves the contradiction).

Siddur Lev Shalem – Principles of Interpreting Torah – from Sifra 1

Rabbi Ishmael taught that the Torah is expounded by these thirteen rules of textual interpretation:

A restriction applicable in general circumstances certainly applies to a more limited circumstance.

A general rule may be inferred from a similar phrase in two different texts.

A general rule may be derived from a single text or from two related texts.

A rule stated in general terms, but followed by one or two particular examples, is limited to those particular circumstances.

When a particular circumstance is stated and is then followed by a general rule, the law is expanded to include all that is similar to the particular circumstance.

When a general rule is stated, followed by a specific application, and then the general rule is restated, the law must be interpreted in terms of the specific limitation.

If the specification is needed to clarify an ambiguity in the general rule, then the specification teaches something about the general rule.

But when a subject naturally included in a general rule is treated separately, it is meant to limit the rule.

When the text states a general rule and specifies a penalty and then follows it with a particular instance covered by the general rule but does not state a punishment for it, it is meant to ordain a lesser penalty for the latter circumstance.

However, when a penalty is specified for a violation of the general rule and then is followed by a dissimilar circumstance, either a lesser or greater penalty may be intended.

A circumstance logically falling within a general rule but treated separately in the Torah remains outside the rule, unless the text specifically states that it is part of the general rule.

An obscure text may be clarified by its context or by subsequent usage.

Finally, contradictions between two texts may be reconciled by means of a third text.

First Principle – Siddur Lev Shalem

A restriction applicable in general circumstances certainly applies to a more limited circumstance.

First Principle – *Kal Vachomer* – Sifra B'raitā d'Rabbi Yishmael

kal vachomer (a fortiori): (**Bamidbar 12:14**): "And the L-rd said to Moses: Now if her (Miriam's) father had spat in her face, would she not be in shame for seven days!" — *Kal vachomer*, if the Shechinah does so, it should be fourteen days! (see Tosfoth, **Bava Kamma 25a**). But it

suffices that a *kal vachomer* deduction parallel what it is deduced from; therefore, (**Bamidbar 12:14**): "Let her be sequestered seven days outside the camp, and then let her be gathered in."

First Principle Explained – Jewish Virtual Library

Kal va-ḥomer (more accurately *kol va-ḥomer*): an argument from the minor premise (*kal*) to the major (*ḥomer*). The Midrash (**Gen. R. 92:7**) traces its use to the Bible (cf. **Gen. 44:8**; **Ex. 6:12**; **Num. 12:14** – not explicit but see **BK 25a**; **Deut. 31:27**; **I Sam. 23:3**; **Jer. 12:5**; **Ezek. 15:5**; **Prov. 11:31**; **Esth. 9:12**). The following two examples may be given: (a) It is stated in **Deuteronomy 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" (**Ḥul. 24a**). Example (a), where the "minor" and "major" 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 "minor" and which the "major." 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. Schwarz (see bibliography) erroneously identifies the Aristotelean syllogism with the *kal va-ḥomer*. First, the element of "how much more" is lacking in the syllogism. Second, the syllogism 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 the characteristics of that class. However, in the *kal va-ḥomer* it is not suggested that the "major" belongs in the

class of the "minor" but that what is true of the "minor" must be true of the "major" (Kunst, in Bulletin of the School of Oriental and African Studies, 10 (1942), 976–91). Not all of the thirteen principles are based on logic as is the *kal va-homer*. Some are purely literary tools, while the *gezeirah shavah* is **only** valid if received through the transmission of a rabbinic tradition.

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-homer* (**BK 2:5**). It must not be argued that if A has x, then B has x + y. The *kal va-homer* suffices only to prove that B has x, and it is to go beyond the evidence to conclude that it also has y. R. Tarfon rejects the *dayyo* principle in certain instances (**BK 25a**).

Second Principle – Siddur Lev Shalem

A general rule may be inferred from a similar phrase in two different texts.

Second Principle – Gezeirah Shavah – Sifra B'raitā d'Rabbi Yishmael

2) **gezeirah shavah** (Identity): It is stated in respect to a *shomer sachar* (a hired watchman) (**Shemot 22:9**): "The oath of the L-rd shall be between both, that he (the watcher) did not send his hand against the deposit of his neighbor," and, in respect to a *shomer chinam* (one who watches gratis) (**Shemot 22:7**): "that he did not send his hand, etc." Just as in the instance of a *shomer sachar*, in which it is written "that he did not send his hand," the heirs (of the watcher) are exempt (from an oath that their father did not send his hand, etc., it being written: "The oath of the L-rd shall be between both" [the owner and the watcher — and not between the heirs]), so, in the instance of a *shomer chinam*, where it is written "that he did not send his hand," the heirs are exempt.

Second Principle Explained – Jewish Virtual Library

(2) **Gezeirah shavah**: comparison of similar expressions. It is probable that etymologically the word *gezeirah* means "law" – as in **Daniel 4:4, 14** – so that *gezeirah shavah* would mean a comparison of two similar laws (**Bezah 1:6**; see however S. Lieberman, *Hellenism in Jewish Palestine*, 193ff.); if the same word occurs in two Pentateuchal passages, then the law applying in the one should be applied to the other. Bergman argues (*Sinai* 71, 1972) that a *gezeirah shavah* is the application of the laws in one instance to a second instance to achieve a unified legal principle, irrespective of the differences between the cases, more often than not by finding a word that appears in both instances. For example, the word *be-mo'ado* ("in its appointed time") is used both in regard to the Paschal lamb (**Num. 9:2**) and to the *tamid*, the daily offering (**Num. 28:2**), which is offered on the Sabbath as well. Thus it can be inferred that the term *be-mo'ado* includes the Sabbath and hence the Paschal lamb may be offered even on the Sabbath, although work normally forbidden on the Sabbath is entailed (**Pes. 66a**). The *gezeirah shavah*, as may be seen from the above example, was originally a purely logical

principle. It is reasonable to suppose that a law clearly stated in one passage can shed light on a similar law in a different passage. In the schools, however, the *gezeirah shavah* threatened to become a formal principle whereby a mere similarity in words was sufficient warrant for positing similar laws in the respective passages. To prevent the abuse of this method, rules were laid down to qualify its use. A man cannot advance a *gezeirah shavah* independently, but must receive it by tradition from his teachers (**Pes. 66a**); both passages must be from the Pentateuch (**BK 2b**); the words of the *gezeirah shavah* must not only be similar but also superfluous (*mufneh*, "free") in the context in which they appear, so that it can be argued that they were placed there for the express purpose of the *gezeirah shavah* (**Shab. 64a**). It would appear that the school of R. Akiva disagrees with that of R. Ishmael and does **not** require *mufneh* (**TJ, Yoma 8:3, 45a**).

Similar to the *gezeirah shavah* but not identical with it are the rules of *hekkesh* ("comparison") and *semukhim* ("juxtaposition"). *Hekkesheh* refers to the presence of two laws in the same verse, from which it may be inferred that whatever is true of one is true of the other. For example, "Thou shalt eat no leavened bread with it; seven days shalt thou eat unleavened bread therewith" (**Deut. 16:3**). Although women are exempt from carrying out positive precepts associated with given time, they are nevertheless obliged to eat unleavened bread on Passover since the verse, by combining the two laws compared the duty to eat unleavened bread with the prohibition against eating leaven, which, being a negative precept, is binding on women (**Pes. 43b**). *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" (**Ex. 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**). R. Judah, however, rejects the universal application of the *semukhim* rule: "Just because the two statements are juxtaposed, are we to take this one out to be stoned?" (*ibid*). The *semukhim* rule, according to R. Judah, is to be applied *only* in Deuteronomy (*ibid*).

Third Principle – Siddur Lev Shalem

A general rule may be derived from a single text or from two related texts.

Third Principle – *Binyan Av* – Sifra B'raitā d'Rabbi Yishmael

3a) ***Binyan av vekathuv echad*** (a general rule implicit in one verse), viz.: "Mishkav" (what is lain upon) is not like "moshav" (what is sat upon [see **Vayikra 15**]), and moshav is not like mishkav. What is common to them is that they are articles designed for man's (bodily) comfort alone, and a *zav* (see **Vayikra 15:2**, Rashi,) defiles them by (their supporting) most of his weight, to (in turn) defile a man by *maga* (touching) and by *massa* (carrying), to (in turn) defile clothing. So, (all) articles which are designed for man's (bodily) comfort alone are defiled by a *zav*, by (supporting) most of his weight to (in turn) defile a man by *maga* and *massa*, to (in turn) defile clothing. This excludes (from such defilement) *tarkav* (a measuring instrument [which was employed for *mishkav* or *moshav*]), it being designed for a different purpose (i.e., measuring, and not

"man's bodily comfort." (In sum, then, anything designed for man's bodily comfort and used for *mishkav* is governed by the "one verse" of *mishkav*, and anything designed for man's bodily comfort and used for *moshav* is governed by the "one verse" of *moshav*.)

3b) ***binyan av mi'shnei kethuvim*** (a general rule derived from two verses). viz.: The topic of the lamps (on the menorah) is not like that of sending the unclean outside (of the encampment), and the latter is not like the former. What is common to them is that they are introduced by "**Tzav**" ("Command") — [the lamps, (**Vayikra 24:2**); sending, etc., (**Bamidbar 5:2**)] — and apply both immediately and for future generations. [The lamps: immediately — (**Bamidbar 8:3**): "And Aaron did so. He kindled its lamps towards the face of the menorah, etc."; for future generations — (**Vayikra 24:3**): "... an eternal statute throughout your generations." Sending the unclean outside: immediately — (**Bamidbar 5:4**): "And the children of Israel did so, and they sent them outside the camp"; for future generations — (**Bamidbar 19:21**): "And it shall be for them an everlasting statute."] So, all commandments introduced by "Tzav" apply both immediately and for future generations.

Third Principle (part a and part b) Explained – Jewish Virtual Library

(3) ***Binyan av mi-katuv ehad*** and ***binyan av mi'shnei kethuvim***: 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.) Examples: (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 **Deuteronomy 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 (**BM 87b**). 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:

Axy.....a

Bxz.....a

Cx.....a

(According to some commentators a simple analogy of type (a) is not to be reckoned among R. Ishmael's principles, both of which are of type (b), the difference being that in *binyan av mi-katuv ehad* both the cases from which the induction is made are in the same verse whereas in *binyan av mi'shnei kethuvim* they are in separate verses – **Sefer Keritut 1:3.**)

Fourth Principle – Siddur Lev Shalem

A rule stated in general terms, but followed by one or two particular examples, is limited to those particular circumstances.

Fourth Principle – *Kllal u'frat* – Sifra B'raitā d'Rabbi Yishmael

4) ***kllal u'frat*** (general-specific): (**Vayikra 1:2**): "A man, if he offer from you an offering to the L-rd, from the beasts, from the cattle and from the sheep shall you offer your offering." "from the beasts" — general (i.e., all animals); "from the cattle and from the sheep" — specific (i.e., domesticated animals) — the general subsumes only the specific (i.e., domesticated, and not non-domesticated animals).

Fourth Principle Explained – Jewish Virtual Library

(4) ***Kllal u'frat***; general and particular. If a law is stated in general terms and followed by particular instances, only those instances are covered by the law. 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**).

Fifth Principle – Siddur Lev Shalem

When a particular circumstance is stated and is then followed by a general rule, the law is expanded to include all that is similar to the particular circumstance.

Fifth Principle – *Prat U'kllal* – Sifra B'raitā d'Rabbi Yishmael

5) ***prat u'kllal*** (specific-general): (**Shemot 22:9**): "If a man give to his neighbor an ass or an ox or a lamb — specific; "or any beast to watch" — general: specific-general — the general adds to the specific.

Fifth Principle Explained – Jewish Virtual Library

(5) ***Prat u'kllal***: particular and general. 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" (Ex. 22:9) – beasts other than those specifically mentioned are included (Sifra, introd. 8).

Sixth Principle – Siddur Lev Shalem

When a general rule is stated, followed by a specific application, and then the general rule is restated, the law must be interpreted in terms of the specific limitation.

Sixth Principle – *Kllal u'frat u'kllal* – Sifra B'raita d'Rabbi Yishmael

6) ***kllal u'frat u'kllal*** (general-specific-general): (Devarim 14:26): "And you shall give the money for all that your soul desires" — general; "of herd, flock, wine, and strong drink" — specific; "and for all that your souls asks" — reversion to the general: general-specific-general — *ē ata dan ela ke'ein haprat* (the rule is in accordance with the specific), viz.: Just as the specific is: one fruit from another, (e.g., wine from grapes), originating from the earth, so, everything of this nature is purchasable with *ma'aser* money) — to exclude mushrooms and truffles (which, although they are fruit, do not come from another fruit).

Sixth Principle Explained – Jewish Virtual Library

6) ***Kllal u'frat u'kllal i attah dan ella ke-ein ha-prat***: general, particular, general – you may derive only things similar to those specified. Example: "Thou shalt bestow the money for whatsoever thy soul desireth [*kllal*] for oxen, or for sheep, or for wine, or for strong drink [*prat*] or for whatsoever thy soul asketh of thee [*kllal*]" (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).

Seventh Principle – Siddur Lev Shalem

If the specification is needed to clarify an ambiguity in the general rule, then the specification teaches something about the general rule.

Seventh Principle - *Kllal sh'hu tzarikh li'frat u'frat sh'hu tzarikh li'kllal* – Sifra B'raita d'Rabbi Yishmael

7) ***klal sh'hu tzarikh li'frat u'frat sh'hu tzarikh li'klal*** (general requiring specific and specific requiring general): (Shemot 13:2): "Sanctify unto Me every *bechor* (first-born), the opener of each womb." I might think that even females are included; it is, therefore, written (Devarim 15:19): "the male." If "the male," (I would think that) even a *yotze dofen* (Caesarian birth) were a *bechor*. It is, therefore, written "the opener of the womb." This is an instance of "general" (*bechor*) requiring "specific." I might think that even if it were born after a *yotze dofen* it were a *bechor* (being the first opener of the womb); it is, therefore, written "*bechor*," (which connotes first in all respects; not only first opener of the womb, but also first in birth). This is an instance of "specific" ("opener of the womb") requiring "general" (*bechor*).

Seventh Principle Explained – Jewish Virtual Library

(7) ***Kllal sh'hu zarikh li'frat u'frat sh'hu tzarikh li'klal***: the general requires the particular and the particular 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" (Ex. 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" (Bek. 19a).

Eighth Principle – Siddur Lev Shalem

But when a subject naturally included in a general rule is treated separately, it is meant to limit the rule.

Eighth Principle – *Kol Davar sh'hayah bi'khllal etc.* – Sifra B'raita d'Rabbi Yishmael

8) ***kol davar sh'hayah bi'khllal v'yatza min hakllal lelamed, lo lelamed al atzmo yatza ela lelamed al hakllal kulo yatza***. (Anything which was subsumed in a general category, and departed from that category to teach (something) — not in order to teach about itself did it depart, but in order to teach about the entire category did it depart): (Vayikra 7:20): "And the soul that eats flesh of the sacrifice of the peace-offerings which is the L-rd's, and his uncleanness is upon him, that soul shall be cut off from its people." Now were peace-offerings not in the category of all sacrifices? viz. (Vayikra 7:37): "This is the law of the burnt-offering, of the meal-offering, and of the sin-offering, and of the guilt-offering, and of the offering of investiture (*miluim*), and of the sacrifice of the peace-offerings," and (Vayikra 22:3): "Every man who draws near of all your seed to (eat) the holy things that the children of Israel make holy unto the L-rd, with his

uncleanliness upon him, that soul will be cut off from before Me." (Why, then, do peace-offerings "depart" from the category for special, additional, mention?) When they depart from the category to teach, it is not to teach about themselves, but about the entire category, viz.: Just as peace-offerings are distinctive in that their sanctity is altar sanctity (i.e., bodily sanctity), so, all whose sanctity is altar sanctity (are included in the interdict) — to exclude those things dedicated to *bedek habayith* (Temple maintenance, where the sanctity is not body-related but value-related).

Eighth Principle Explained – Jewish Virtual Library

(8) ***Davar sh'hayah bi'khllal v'yatza min ha-klal lelamed lo le-lamed al azmo yatza ella le-lamed al ha-klal kullo yatza***: 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).

Ninth Principle – Siddur Lev Shalem

When the text states a general rule and specifies a penalty and then follows it with a particular instance covered by the general rule but does not state a punishment for it, it is meant to ordain a lesser penalty for the latter circumstance.

Ninth Principle – Kol Davar Sh'hayah bi'khllal v'yatza min hakllal – Sifra B'raita d'Rabbi Yishmael

9) ***kol davar sh'hayah bi'khllal v'yatza min hakllal lit'on to'an acher sh'hu ke'inyano, yatza lehakel v'lo lehachmir***. (Anything which was subsumed in a general category, and departed from that category for a particular requirement thereof, departed for leniency and not for stringency.): (Vayikra 13:18): "And flesh, if there be in it, in its skin, a boil, and it be healed," and (Vayikra 13:24): "Or flesh, if there be in its skin a burn by fire, etc." — Now boil and burn were in the category of all plague-spots (see Vayikra 13:2, etc.) (for apparently no distinction should be made between whether or not the plague-spot is on the site of a boil or a burn), and when they departed from that category for (special mention of) a particular requirement thereof (i.e., white hair, a sign of uncleanliness), they departed thus for leniency and not for stringency — that they not be affected by *michyah* (another uncleanliness sign of the general category), and that one week of quarantine suffice (in an instance of the plague-spot remaining in its place and not spreading — as opposed to the two-week requirement of the general category).

Ninth Principle Explained – Jewish Virtual Library

(9) ***Davar sh'hayah bi'khllal v'yatza liton to'an ehad sh'hu ke'inyano yatza lehakel v'lo lehachmir***: 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 (Sifra 1:2).

Tenth Principle – Siddur Lev Shalem

However, when a penalty is specified for a violation of the general rule and then is followed by a dissimilar circumstance, either a lesser or greater penalty may be intended.

Tenth Principle – Kol davar sh'hayah bi'khllal v'yatza min hakllal lit'on to'an etc... - Sifra B'raita d'Rabbi Yishmael

10) ***kol davar sh'hayah bi'khllal v'yatza min hakllal lit'on to'an acher sh'lo ke'inyano, yatza lehakel ulehachmir***. (Anything which was subsumed in a general category, and departed from that category for a particular requirement foreign to it, departed both for leniency and for stringency.): (Vayikra 13:29): "And a man or a woman — if there be in him a plague-spot in the head or in the beard, etc." — Now head and beard were in the general category of skin and flesh, and when they departed from that category for (special mention of) a particular requirement (for uncleanliness) foreign to that category (white hair being a sign of uncleanliness in the category, and yellow hair, in the "departure"), they departed both for leniency and for stringency. For leniency — that they not be affected by white hair; for stringency — that they be affected by yellow hair.

Tenth Principle Explained – Jewish Virtual Library

(10) ***Davar sh'hayah bi'khllal v'yatza liton to'an aher sh'-lo k'inyano yatza lehakel ulehachmir***: 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 (*ibid.*, 13:4) and the restriction of the yellow hair mentioned in the particular instance (*ibid.* 13:30) are to be applied (*Sifra* 1:3).

Eleventh Principle – Siddur Lev Shalem

A circumstance logically falling within a general rule but treated separately in the Torah remains outside the rule, unless the text specifically states that it is part of the general rule.

Eleventh Principle – *Kol davar sh'hayah bi'khlal v'yatzta min ka'khlal....* – Sifra B'raita d'Rabbi Yishmael

11) *kol davar sh'hayah bi'khlal v'yatzta min hakhlal lidon ba-davar hechadash, ē ata yakhol lehachaziro li'kllalo ad sheyachazirenu hakatuv li'khlallo be-feirush.* (Anything which was subsumed in a general category, and departed from that category for a new learning, cannot be restored to that category unless Scripture restores it explicitly.): (*Vayikra* 14:13): "And he shall slaughter the lamb (the guilt-offering) in the place where the sin-offering is slaughtered, and the burnt-offering, in the holy place. For as the sin-offering, is the guilt-offering to the Cohein." Let this ("For as, etc.") not be stated, (for this guilt-offering is subsumed in the general category of guilt-offerings [*Vayikra* 7:11]). But because it (this guilt-offering of the metzora) departed (from the category) for a new learning — (the placing of the blood on) the thumb of his (the offerer's) right hand and of his right foot and on his right ear, I might think that it did not require the placing of blood and imurim (devoted portions) on the altar; it is, therefore, written: "For as the sin-offering (i.e., as all sin-offerings) is the (i.e., this) guilt-offering to the Cohein" (i.e., it is subject to all of the Cohein's services for a sin-offering.) Scripture explicitly restored it to its category to tell us that just as a sin-offering requires the placing of blood and imurim on the altar, so does this guilt-offering require it.

Eleventh Principle Explained – Jewish Virtual Library

(11) *Davar sh'hayah bi'khlal v'yatzta lidon ba-davar hechadash i attah yakhol lehachaziro li'kllalo ad she-yachazirennu ha-katuv li'kllalo be-feirush:* 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 (*Yev.* 7a–b).

Twelfth Principle – Siddur Lev Shalem

An obscure text may be clarified by its context or by subsequent usage.

Twelfth Principle – *Davar ha-lamed me'inyano* or *misofa* – Sifra B'raita d'Rabbi Yishmael

12a) ***davar ha-lamed me'inyano*** (something learned from context): (Vayikra 13:40): "And a man, if the hair of his head (from the slope of his head towards the nape [*karachath*]) fall out, he is *kereach* (bald); he is clean." I might think that he is clean of all (plague-spot) uncleanness; it is, therefore, written (in that context, of other types of uncleanness) (Vayikra 13:42): "And if there be on the *karachath* or the *gabachath* (temples) a reddish white plague-spot, etc." We learn from the context that he is not clean of all types, but of *nethakim* (scalls) alone.

12b) ***davar ha-lamed misofa*** (something learned from its end): (Vayikra 14:34): "And I shall put a plague-spot of leprosy in a house of the land of your possession." This implies that a house which has stones, wood, and mortar is susceptible of such uncleanness. — But I might think that even a house lacking these is likewise susceptible! It is, therefore, written (Vayikra 14:45): "Then he shall break down the house — its stones, its wood, and all the mortar of the house." From the end we learn that a house is not susceptible of such uncleanness unless it has stones, wood, and mortar.

Twelfth Principle Explained – Jewish Virtual Library

(12) ***Davar ha-lamed me-inyano ve-davar ha-lamed misofa***: the meaning of a passage may be deduced: (a) from its context (*mi-inyano*), (b) from a later reference in the same passage (*mi-sofo*). As an example of (a), "Thou shalt not steal" in the Decalogue (Ex. 20:13) must 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., Ba-Hodesh, 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).

Thirteenth Principle – Siddur Lev Shalem

Finally, contradictions between two texts may be reconciled by means of a third text.

Thirteenth Principle – *Shnei Ketuvim hamakschishim zeh et zeh* – Sifra B'raita d'Rabbi Yishmael

13) ***shnei kethuvim hamakchishim zeh et zeh ad sheyavo hakathuv hashlishi veyachriya beneihem*** (two verses that contradict each other until a third verse comes and resolves the contradiction): One verse states (Shemot 19:20): "And the L-rd descended upon Mount Sinai, upon the top of the mountain," and another (Shemot 20:19): "... that from the heavens I spoke to you!" A third verse comes and resolves the contradiction, viz. (Devarim 4:36): "From the heavens He made you hear His voice to

exhort you, and on the earth He showed you His great fire, and His words you heard from the midst of the fire." — His voice from the heavens and His speech on the earth. Another resolution: We are hereby taught that the Holy One Blessed be He bent the heavens over Mount Sinai and spoke with them. As David said (**Psalms 18:10**): "And He bent the heavens and came down, and thick darkness was under His feet."

One verse states (**Bamidbar 7:89**): "And when Moses came to the tent of meeting to speak with him, etc." and another, (**Shemot 40:35**): "And Moses could not come to the tent of meeting!" This is resolved by (**Shemot 40:35**): "for the cloud rested upon it." Say: Whenever the cloud was there, Moses did not enter. When the cloud departed, he entered and spoke with Him. R. Yossi Haglili says: It is written (**I Kings 8:11**): "And the Kohanim were not able to stand to minister because of the cloud, for the glory of the L-rd filled the house of the L-rd" — whence it is seen that the angels were given license to destroy (all who would approach). And, similarly, (**Shemot 33:22**): "And I shall cover you with My 'palm' until I have passed" — whence it is seen that the angels were given license to destroy. And, similarly, (**Psalms 95:11**): "So I swore in My wrath that they would not enter My rest" — When My wrath abates, they will enter My rest."

Thirteenth Principle Explained – Jewish Virtual Library

(13) ***Shenei kethuvim ha-makhshishim zeh et zeh ad sheyavo ha-katuv ha-shelishi ve-yakhri'a beineihem***: 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 (**Ex. 19:20**), another that His voice was heard from heaven (**Deut. 4:36**). A third verse (**Ex. 20:19**) provides