

Binyan Abh – Analysis of the Rabbinical Way of Thinking through the Logical Examination of a Rabbinical Exegetical Rule (Middah)

Ph. D. Thesis

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ABSTRACT

The purpose of my dissertation is to examine the *binyan abh* rule which is one of the rabbinical exegetical rules (*middoth*) collected by Rabbi Yishmael around the 1st-2nd centuries C.E. I have chosen this topic because – according to my opinion – understanding this particular rule helps understanding the other rabbinical rules, moreover, with the help of *binyan abh* rule, the rabbinical way of thinking can be modelled.

The structure of my dissertation is the following. In the Introduction I sketch out the development and the fundamental methods of the rabbinical exegesis till the end of the 2nd century C.E. In the first Chapter I locate *binyan abh* among the other rules, and examine the meaning of its name and its main characteristic expressions. In the second Chapter the rule is analysed by means of fifteen specific examples. In the third part of my thesis I try to model the rule using the hypothesis and theories of modern logicians. At the end of this chapter I examine the relevant questions of philosophy of language connected to my topic. In the Epilogue I compare the results of my examination with the self-interpretation of rabbinical exegesis.

The main propositions of my thesis: (1) The explicit laws in the Torah are prototypes (*aboth*) and the rabbies formulate general laws with the help of *binyan abh* rule from them. The generalization takes place on the basis of similarity and/or causality determined by the context. The rabbies do not generalize the intension of the explicit laws but the extension of them. They adopt the policy of minimal risk, and keep to „the letters” of the Torah. The reason for this attitude is the fear from violating the laws of the Torah and the preparation of the „defensive fence”. (2) According to Louis Jacobs, Avi Sion and Norman Solomon the generalization happens along causality. We can examine the talmudic examples with the Millian methods, but the Talmud says that G-d does not directly intend to tell us the reason of the commandments. (3) According to Dov Gabbay and his colleagues the rabbinical reasoning is abductive inference, so they create matrix abduction along the rabbinic

reasoning. In their opinion the logic of the Talmud is more abounding compared to the western logic. Modeling it with artificial intelligence could contribute to the development of science. (4) The rabbinic hermeneutical rules are most similar to Paul Herbert Grice's maxims of conversation implicature. (5) The rabbies often deviate from the „literal meaning” of the Torah for the sake of humanitarian and ethical principles. (6) According to Rambam the source of the *halakhah* is not the *derasha*, but the tradition. So the *middoth* are not rules of derivation, but rules harmonizing the Oral *Torah* and the Written *Torah*. On the contrary, according to Rashi and *Baale Tosafoth* part of the *halakhah* is actually derivation from the text of the *Tanakh*. Based on my examination I agree with Rashi. (7) The *peshat* meaning is the meaning which comes from the context for the tannaim. But the context can be interpreted in several ways. According to the orthodox Judaism the context includes Written and the Oral Law as well, so the meaning of the *halakhot* in the Written *Torah* is determined by the Oral *Torah*. The derivations with the *middoth* are really acknowledgements, which give the *peshat* meaning of the *Torah*. According to the neolog and conservative Judaism the derivations with the *middoth* is the *derash* meaning of the *Tanach* (Griceian „content of communication”) and the *peshat* meaning is the simple meaning of the text determined by the whole context of the *Tanakh* (Gricean conventional meaning). (8) The system of the rabbinical interpretation developed along the debates with the different Jewish trends, mainly between the Sadducees, the Hellenized Jews and Jewish-Christians. The rabbies had to justify the *halakhah* from the *Tanakh*. This justification is often very formal. The manner of rabbies is very similar to the method of Greek sophists. The sophists achieved high rhetorical, grammatical and logical abilities, and they could prove anything from anything and the reverse of it as well. (9) The rabbinical decisions were verified by the majority and were supported by the authority of the Oral Law, which although contains extraordinarily numerous contradictions but according to the orthodox Judaism it is an annunciation equivalent to the *Tanach*. The Talmud says that even the Almighty could not intervene in the interpretation of the *Tanach*, because He said that „it is not in the heaven”.