YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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**Commentaries on the Mishna**

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# Shiur#02: Amoraic Commentaries on the Mishna

**Talmudic Interpretations of the Mishna**

In this *shiur*, we will discuss Talmudic interpretations of the Mishna. Although the Talmud discusses many topics in addition to *halakha* and *aggada*, the primary purpose of both the Babylonian Talmud and the Jerusalem Talmud is certainly to understand and interpret the Mishna. Rabbi Yechiel Ya’akov Weinberg, author of the *Seridei Eish*, noted[[1]](#footnote-1) that the Talmud contains many types of interpretation of the Mishna:

1. Philological interpretations – In these cases, the Gemara defines and explains the meaning of difficult words found in the Mishna. For instance, the Gemara (*Ketubot* 10b) discusses the meaning of the word *almana*, widow,which appears in the Mishna there, and also defines the meaning of the word *hinnuma* that appears later in the same Mishna (*ibid.* 15b).
2. Interpretations of stylistic nuances found in the Mishna
3. Clarifications regarding alternate versions of the text of the Mishna
4. Explanations of statements in the Mishna that are difficult to understand

In addition to these categories of interpretation mentioned by Rabbi Weinberg, the Gemara also frequently engages in other methods of analysis of the Mishna, such as investigating the source of its rulings, as well as examining the relationship between the Mishna and other Tannaitic sources.

In addition to noting these types of interpretations, it is also important to analyze the method of Talmudic interpretation and resolution of difficulties arising from statements in the Mishna: Is there a systematic Talmudic method of interpreting the Mishna? Do specific *amora’im* tend to interpret the Mishna using consistent methodology? A number of scholars have demonstrated that multiple methods of interpretation were indeed employed by different *amora’im.* We will mention a few examples of this phenomenon.

**Abaye and Rava**

The Mishna (*Sanhedrin* 1:1) details the various types of *batei din*, religious courts, such as those of three, twenty-three, and seventy-one, as well as the guidelines for which courts are used at different ceremonies. One of the ceremonies mentioned is *ibbur ha-chodesh,* the intercalation of a month by inserting an extra day, which requires a *beit din* of three judges. The Gemara analyzes the meaning of this halakha:

*Ibbur Ha-chodesh* requires three [judges]. [The word] *chishuv*, calculation, is not stated, [the word] *kiddush*, sanctification, is not stated; rather [the word used is] *ibbur*. Let us not sanctify it [the month], and rather it should be extended automatically. (*Sanhedrin* 10b)

Rashi explains the Gemara’s question to mean that had the Mishna written that three are needed in order to calculate whether the extra day is necessary, or whether to accept testimony from witnesses with regard to the new month, it would have been understood. However, why are three judges necessary simply to declare that the month has been extended? The Gemara cites two answers:

Abaye says: Teach [the Mishna as saying]: *Kiddush Ha-chodesh*. It was stated as well in a *baraita*: *Kiddush Ha-chodesh* and the intercalation of a year [by adding a month are performed] by [a court of] three, these are the words of Rabbi Meir. Rava says: But it states “*ibbur”* in the Mishna! Rather, Rava says: Sanctification on the day of the *ibbur* is with three; following the day of the *ibbur,* there is no sanctification. (*Sanhedrin* 10b)

The answer of Abaye is based upon an alteration of the text. In his opinion, the written text must be altered to read “*kiddush ha-chodesh*.” The Gemara cites a *baraita* that supports this interpretation as well. However, Rava disagrees because this is not the actual text of the Mishna, which uses the word *ibbur*, and therefore he explains the Mishna as referring to the act of sanctification on the day of the *ibbur*.

A search through the Gemara (using the Bar Ilan Responsa Project) for the words “Rava… *ve-ha ketani*, but is it not written,” reveals that his claim that the text of a Mishna may not be altered in order to resolve a textual difficulty appears in other instances as well. Most of these are responses to Abaye, who consistently allows altering the text when necessary.

Another example of this phenomenon can be found in the Gemara in *Sota* (7b), which delineates the process of feeding the *sota*, a woman who is accused of adultery, in a very detailed manner. In that context, the Mishna states: “If she states: ‘I am impure,’ she writes a *shovar* for her *ketuba*, marriage contract, and departs from the marriage.” The Gemara derives from there that apparently it was customary to write a *shovar*, which was similar to a receipt demonstrating that a payment was in fact made.

The problem with this understanding is, as Rashi explains, that this issue is in fact the subject of a Tannaitic dispute in *Bava Batra* (170b), and the Gemara finds it difficult to accept that the Mishna in *Sota* could take a definitive stance on the matter. The Gemara therefore cites two possible explanations: “Abaye says: Teach [in the Mishna] *mekara’at,* she tears [her *ketuba*]. Rava said to him: But it states *shoveret,* she writes a *shovar*. Rather, Rava says: It refers to a location where a *ketuba* is not customarily written.” In this example as well, Abaye alters the text of the Mishna to refer to tearing the *ketuba,* while Rava claims that the text of the Mishna says *shoveret*, and interprets the Mishna as referring to a location where a *ketuba* was not customarily written. Therefore, a *shovar* must be written instead.

It would seem, then, that Abaye and Rava fundamentally disagree about whether the printed text of the Mishna may be changed in order to explain it satisfactorily. In fact, R. Yaakov Nachum Epstein noted this phenomenon regarding Rava in his work “*Mavo Le-nussach Ha-mishna*” (volume 1, p. 383).

Professor David Henshke suggests the following explanation for this dispute: According to Abaye, the rendition of the text of the Mishna is subject to its halakhic content and the apparent logic behind it. Therefore, when the text and logical understanding appear to clash, the content is preferred and the text is modified accordingly. However, Rava holds that the text of the Mishna must be viewed as that of the Torah: It must be interpreted as is, and every nuance must be examined for meaning. It also may not be altered simply because we have difficulty understanding its meaning.

Professor Henshke goes on to explain that while Abaye views the text as merely a technical means of remembering *halakhot* that were previously only taught orally, Rava holds that the text is independently significant as well. Rava’s approach requires maintaining the text precisely, but also allows for an in-depth analysis of the text.

Henshke notes that there is an additional difference associated with the approaches of Abaye and Rava: In cases where linguistic differences exist between the text of the Mishna and that of other Tannaitic works, Abaye generally bridges the gaps between them and interprets them similarly. Rava, on the other hand, maintains that the differences are significant, analyzes them, and derives halakhic conclusions from them.

One example cited by Henshke appears in the Gemara with regard to a *kushi,* or Ethiopian, *etrog*, which is black:

The Master says [in the Mishna]: An Ethiopian *etrog* is invalid. But wasn’t it taught in a *baraita* that an Ethiopian [*etrog*] is valid, but one that is similar to an Ethiopian is invalid? Abaye says: When the Mishna taught [that it is invalid], it also taught [i.e., meant] one that is similar to an Ethiopianone*.* Rava says: There is no difficulty: This is for us [in Babylonia], and that is for them [in Israel]. (*Sukka* 36a)

In this case, the Mishna mentioned (34b) states that an Ethiopian *etrog* is invalid, but the *baraita* only invalidates one that is similar to an Ethiopian *etrog*. Abaye bridges the gap between the two sources by maintaining that the Mishna also referred to one that was a similar color to that of an Ethiopian *etrog*, but was not entirely black. Rava, though, claims that the text of the Mishna must be maintained and interpreted as is. Therefore, he holds that the Mishna did indeed invalidate a black *etrog,* and this ruling refers to the land of Israel, in which such an *etrog* is uncommon, and therefore invalid (see Rashi there). The *baraita,* in contrast, refers to Babylonia, where such an *etrog* was frequently used, and is therefore valid.

**Rav Yosef**

One of the fundamental questions regarding the compilation of the Mishna which is often discussed, spanning from the *Ge’onim* through modern scholars, is the role of Rabbi Yehuda Ha-nasi: Did he primarily compile earlier sources without inserting any additional content, or did he use those earlier sources to construct an entirely new, unified work? One practical difference between these two approaches is whether it is possible for one mishna to contradict another, whether they are in the same tractate or in two different tractates.

According to the first approach, it is certainly possible that contradictions exist, as different *mishnayot* may express distinct approaches. Rabbi Yehuda Ha-nasi, who served merely as an editor and compiler, simply took multiple opinions and inserted them all into the Mishna even when the specific *tanna* who authored that mishna is not identified. However, according to the second approach, an anonymous mishna is in fact the product of Rabbi Yehuda Ha-nasi, who carefully edited it. If so, it is difficult to entertain the possibility that two such *mishnayot* would contradict each other. A number of commentaries and scholars have noted that this question was in fact already addressed by the *amora’im*, such as in the following example.

A number of *mishnayot* in the first chapter of tractate *Megilla* begin with the words “*ein bein*, there is no difference between.” In each mishna, a halakhic comparison is drawn between two laws, which are entirely parallel, with the exception of one detail. In Mishna 9, the difference between various types of High Priests is discussed:

There is no difference between a priest anointed with the anointing oil and one with additional garments except for [the obligation to offer] a bull that atones for all of the *mitzvot.* There is no difference between a priest [currently] serving and a priest who [served in the] past except for [the obligation to bring] the bull on Yom Kippur and the tenth of an *epha* [of flour brought daily by the High Priest]. (Mishna *Megilla* 1:9)

The first section of the Mishna establishes that a High Priest appointed by wearing the additional priestly garments has equal status to one appointed by the anointing oil, except for one detail: Only a High Priest anointed with oil brings the special bull sin-offering of the High Priest who issues a mistaken ruling (this sin-offering, mentioned in *Vayikra* 4:3, is referred to by the Sages as the “bull that atones for all of the *mitzvot*”). In the second section, the Mishna rules that current and former High Priests are subject to the same rules, except for two offerings, which only the current High Priest must bring: The bull of Yom Kippur and the tenth of an *epha*.

The Gemara (*Megilla* 9b) initially comments that the Mishna does not follow the opinion of Rabbi Meir as recorded in a *baraita*. In the *baraita,* Rabbi Meir and the Sages disagree as to whether a High Priest appointed by wearing the priestly garments is obligated to bring a bull that atones for all of the *mitzvot* or not. Rabbi Meir holds that he is obligated to do so, in contrast to the Mishna, where the Rabbis hold that he is not.

The Gemara then notes that the continuation of the Mishna, which states that a former High Priest does not bring a bull on Yom Kippur or a tenth of an *epha,* does appear to conform with the opinion of Rabbi Meir, as recorded in a different *baraita*. The Gemara explains that the Mishna indicates that with regard to other offerings, the status of the two types of high priests is equivalent, and the Gemara cites a *baraita* stating that Rabbi Meir specifically adopts this opinion. Rabbi Yosei, in contrast, holds that a former High Priest is not fit to continue serving even as an ordinary priest. Consequently, the latter section of the Mishna appears to conform with the opinion of Rabbi Meir, in contrast to the former section, which contradicts his opinion. The Gemara then offers two answers:

Is the first clause [in accordance with the opinion of] the Rabbis and the latter clause [in accordance with the opinion of] Rabbi Meir? Rav Chisda says: Yes, the first clause is [in accordance with the opinion of] the Rabbis and the latter clause [in accordance with the opinion of] Rabbi Meir. Rav Yosef says: It is [the opinion of] Rabbi [Yehuda Ha-nasi], and it is brought in accordance with a Tannaitic dispute. (*Megilla 9b*)

Rav Chisda essentially dismisses the question by accepting that the two sections of the Mishna express the disparate opinions of distinct *amora’im.* However, Rav Yosef responds that the Mishna follows the opinion of Rabbi Yehuda Ha-nasi, who holds in accordance with the Rabbis with regard to the first issue, and in accordance with Rabbi Meir with regard to the second. Rabbi Akiva Eger in the *Gilyon Ha-shas* references six more instances where Rav Yosef responds with the same statement: “It is [the opinion of] Rabbi, and it is brought in accordance with a Tannaitic dispute.” Consequently, Rav Yosef systematically maintains that this type of anonymous *mishnayot* expresses the opinion of Rabbi himself, who did not simply collate the opinions of other *tanna’im*, as Rav Chisda claims. Rather, he also states his personal opinion, which may follow the opinion of one *tanna* with regard to one issue, and the opinion of another *tanna* with regard to another.

**Rabbi Yochanan and Rabbi Yannai**

The opinion of Rav Yosef stands in contrast with that of other *amora’im*, such as Rabbi Yochanan, who in a number of instances interprets one section of a mishna as being in accordance with one *tanna*, and another section of the mishna as being in accordance with another. The Gemara (*Sanhedrin* 62b) comments that this understanding of the Mishna is preferred by Rabbi Yochanan over interpreting two seemingly contradictory rulings in the Mishna as referring to different situations: “Rabbi Yochanan is consistent with his reasoning, as he does not establish the first clause of a mishna as referring to one case, and the latter clause as another case.”

The Gemara elsewhere (*Kiddushin* 63b), though, establishes that Rabbi Yannai, the teacher of Rabbi Yochanan, espoused a different approach: “Reish Lakish says: Learn that according to Rabbi Yannai, we give a forced interpretation and establish a mishna as referring to two cases, and in accordance with one *tanna*, and we do not establish [the *mishna*] as reflecting [the opinion of] two *tanna’im* with one case.”Evidently, Rabbi Yannai prefers to establish the mishna in accordance with one *tanna*, even if this forces him to interpret the two sections of the mishna as referring to two different cases.

Although the examples brought here are just a few of many, they demonstrate the presence of consistent approaches to the interpretation of the Mishna taken by many of the *amora’im.* In the next *shiur,* we will begin to discuss the primary topic of this series: The commentaries on the Mishna, beginning with the period of the *Ge’onim* and onward.

(Translated by Rabbi Eli Ozarowski)

1. Rabbi Yechiel Ya’akov Weinberg, “*Ha-parshanut Ha-talmudit La-mishna*,” printed in *Seridei Eish*, volume 4. [↑](#footnote-ref-1)