YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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**Commentaries on the Mishna**

**By Rav Yosef Marcus**

**Shiur#13: The Commentary of *Tosefot Yom Tov*,Part 1**

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1. **Introduction**

Rabbi Yom Tov Lipman Heller, the author of the *Tosefot Yom Tov,* was born in 1579 in the country of Bavaria, which today is part of Germany. He died in 1654 in Cracow, Poland, and was buried in the Jewish cemetery in the city. Rabbi Heller’s father died before he was born, as he mentions in his introduction to his work *Ma’adanei Yom Tov*. He was raised by his grandfather, who also taught him Torah. At the age of thirteen, his grandfather sent him to Prague to the yeshiva of Rabbi Yehuda Leib Lew, the Maharal, where Heller became his preeminent student. The Maharal, in turn, appointed him as a *dayyan* (religious judge) in his *beit din* (religious court) at the young age of eighteen. Rabbi Heller maintained this position for twenty-eight years, and then served as the rabbi in a number of cities: Nikolsburg (known today as Mikulov, in the Czech Republic), Vienna, Prague, and Cracow.

One of the works of the *Tosefot Yom Tov* is known as the *Megillat Eiva,* which means “Scroll of Hatred,” in which he describes the story of his arrest, his impending death sentence, and his eventual miraculous rescue. During his term as the rabbi of Prague, the Thirty Years’ War broke out in Europe on the background of the religious struggle between the Protestants and Catholics, as well as a power struggle between various monarchs. In the year 1618, the residents of Prague rebelled against the king of Bohemia, and after the rebellion failed, the king imposed heavy taxes upon the city. This imposition of taxes caused a dispute between various members of the Jewish community, in addition to disputes between many of the members of the community and the *Tosefot Yom Tov* himself*,* which reached a crescendo when members of the community slandered the *Tosefot Yom Tov* to the authorities.

The *Tosefot Yom Tov* was brought to Vienna and was accused of having written against Christianity both in his work *Ma’adanei Melekh*, as well as in some of his works on the Gemara. The king ordered these works to be burned. He describes how he sentenced to death based upon these charges, and was saved only with tremendous difficulty. His punishment was lowered to a large fine and the termination of his position as rabbi of community. In the wake of this incident, the *Tosefot Yom Tov* decreed upon his descendants to fast on the fifth of the month of *Av*, the day that he was taken from his home.

The *Tosefot Yom Tov* penned about fifty works on a range of Torah subjects, including Mishna, Gemara, Jewish philosophy, kabbala, and halakha. The most famous of his works include his commentary on the Mishna known as *Tosefot Yom Tov*,his commentaries on the laws of the Rosh known as *Ma’adanei Yom Tov*, initially called *Ma’adanei Melekh*, and the *Lechem Chamudot.*

1. **The Motivation and Goal of the *Tosefot Yom Tov* in Writing his Commentary**
2. **Encouraging the Study of Mishna**

The *Tosefot Yom Tov* published his commentary on the Mishna during the period of his first stint in Prague, while serving as a *dayyan* (religious judge)in the *beit din* (religious court)of the Maharal. It was first printed between the years 1614-1617, and was then printed a second time in Cracow between the years 1643-1644 after a number of modifications.

The *Tosefot Yom Tov* explains his motivation for writing the commentary in his introduction to the work:

In the days [of] our holy teacher Rabbi Yehuda Ha-nasi, this Tannaitic teaching[[1]](#footnote-1) was taught: Those who engage in [the study of] scripture, [accomplish] a measure [of Torah study], but [it is] not a [large] measure; [those who engage] in [the study of] Mishna, [accomplish] a [large] measure, and receive reward for it; [those who engage in the study of] Gemara, there is no greater measure than this (*Bava Metzia* 33a). Following this teaching, everyone abandoned the [study of] Mishna and pursued the [study of] Gemara. Then they interpreted: “And one should always run to [study] Mishna more than the Gemara,” as it is stated in the end of chapter two of *Bava Metzia* (33b).

So too, [with regard to] our great teacher and rabbi, the *ga’on*Rabbi Yehuda Loew, son of Betzalel,[[2]](#footnote-2) who was occupied with sitting [studying Torah], [a similar development occurred]: He spread Torah to the public in a large measure, which is the measure of the Gemara, as is well known. Then he preached to run to [study] Mishna, until multiple groups of kings, who are the kings— the Rabbis (*Gittin* 62a) — were developed. And they engage in [the study of] one chapter of the chapters of the *mishnayot* every day, and repeat it over again and again. And this was from God [based on *Tehillim* 118:23], a law not to be violated. Not only in the holy community of Prague [was this practiced], where the edict was given by the aforementioned *ga’on*,but also in other holy communities, near and far, they upheld and accepted upon themselves [based on *Esther* 9:27] to teach them in Israel. (*Tosefot Yom Tov*, introduction to his commentary on the Mishna)

In this passage, the *Tosefot Yom Tov* refers to the pedagogical approach of the Maharal of encouraging the study of Mishna. With the encouragement of the Maharal, numerous groups of people studying Mishna were indeed formed during his lifetime. The Maharal addressed the importance of Mishna study in many places in his writings, where he called on the public to fulfill the words of Chazal in the Mishna in *Pirkei Avot* (5:23) where the proper order of study is to begin with Tanakh, then to study Mishna, and finally to study Talmud.[[3]](#footnote-3)

1. **The Relationship between the *Tosefot Yom Tov* and the Commentary of Rav Ovadya of Bartenura**

The motivation of the *Tosefot Yom Tov* in writing his commentary is discussed explicitly in the introduction to his work. After he describes the study groups of Mishna created in Prague, he writes that they first studied the Mishna with the commentary of Rav Ovadya of Bartenura, and this study convinced him that a new, additional commentary was necessary.

And when I traversed the great and wide sea [of Mishna], there were an innumerable number of hints (based on *Tehillim* 104:25); small issues with big ones. There my humble opinion will go until the place of its hand reaches. And we found a number of gates of the Mishna concealed, not explained. And likewise, a number of *mishnayot* that contradict each other which were not resolved. And all this is not a deficiency of the commentary. Instead, the deficiency is on our part… as the commentary knew [the meaning] but did not explain it, as he thought that it [was so clear, it] needed no explanation… but also see that in the commentary [of the Bartenura] itself there are clear and revealed contradictions.

In the majority [of cases], [this is] because sometimes he followed the explanation of Rabbi X, and other times [he followed] the explanation of Rabbi Y. And it also happens occasionally that he combines the two explanations [together], but this does not make sense, and sometimes his words themselves require explanation. All of this my eye saw. (Introduction to the *Tosefot Yom Tov* on the Mishna)

The *Tosefot Yom Tov* then writes that his commentary should be viewed as complementary to the commentary of the Bartenura, since he comments in places where the Bartenura did not explain sufficiently or his words were not entirely understandable, or where there is a contradiction in his commentary.[[4]](#footnote-4) In fact, the *Tosefot Yom Tov* explains the name for his work, translated as “the additions of Yom Tov,” as being based upon (in addition to other considerations) the fact that he wrote his commentary to serve as an addendum to the commentary of the Bartenura:

And I rose and contemplated the picture to see and understand its qualities and the qualities of the work, and what [should be] its name, and what is the name of its theme. As every author of a book of the *rishonim* and the *acharonim* called their work by names, so that we can relate its name all over the land to say that in this book, he wrote such and such, and in that book [he wrote] such and such. But some call it by the actual name of the author. And some call it by its theme and topic.

And both of them learned from the prophets[[5]](#footnote-5)… therefore, I saw that it was nice to call this work by the name *Tosefot Yom Tov,* after the one acting [i.e., the *Tosefot Yom Tov*] and the one being acted upon [the Bartenura], as this is its theme, that it adds [my] explanation to that of the Bartenura, both where he did not explain, as well as where his own words require explanation. Similarly, the nature of the comments are constructed in the image and form of the *Tosafot* authored on the Gemara… also from this perspective, the name *Tosefot Yom Tov* is justified. Because this is my portion, my soul said, a portion of heaven above… (Introduction to the *Tosefot Yom Tov* on the Mishna)

1. **Differences between the Commentary of the *Tosefot Yom Tov* and the Commentary of Rav Ovadya of Bartenura**

The differences between the style of the commentary of *Tosefot Yom Tov* and the commentary of the Bartenura are evident in nearly every single passage in the *Tosefot Yom Tov*. Here is one example. The Mishna states the following:

[On] the eve of Pesach close to [the time of] *mincha* a person may not eat until nightfall. And even a poor person in Israel may not eat until he reclines; and they may not give him less than four cups of wine, and even [if he is supported] from the charity plate. (Mishna, *Pesachim* 10:1)

The following table compares these two commentaries on this Mishna:

|  |  |
| --- | --- |
| **The Bartenura**  | ***Tosefot Yom Tov*** |
| The eve of Pesach close to *mincha*: A little before *mincha,* about one half hour, [which is] the beginning of the tenth [halakhic] hour [i.e., after nine complete hours], as the daily offering was offered at nine and a half hours, and that is the time of *mincha*. And one half hour before *mincha* is the beginning of the tenth hour.  | Close to *mincha*: The Bartenura interprets [this to mean] the beginning of the tenth hour. And *mincha* [referred] to here is *mincha ketana*, unlike the Mishna in tractate *Shabbat* (1:2), since here the reason is to enhance the mitzvah [of eating matza], and this is sufficient.[[6]](#footnote-6) And I explained the reason for the name *mincha* in [my commentary on] the beginning of *Berakhot* chapter 4.  |
| A person may not eat: So that he will eat matza with an appetite, due to [the importance of] enhancing the mitzva. And bread he certainly may not eat, as *chametz* (leavened bread) is forbidden from six hours onward. And [he may not eat] matza [either] we have said in the *Yerushalmi* that one who eats matza on the eve of Pesach is as if he has had relations with his betrothed in the house of his father-in- law. And it [i.e., the ruling in the Mishna] was necessary only for other foods that he should not fill his stomach from them.  | Until nightfall: Because that is the time for eating matza, as is taught in the Tosefta: The Pesach, matza, and *marror* (bitter herbs) are a mitzva to eat from nightfall, and the reason is because it is written (*Shemot* 12): And they shall eat the meat on this night,” and matza and *marror* are juxtaposed with Pesach. [This explanation is from] *Tosafot.*   |
| Until he reclines: In a bed and at the table, in the manner of free people.  | And even a poor person: As you might have thought that when a poor person reclines, it is not considered reclining, as he has nothing on which to recline, and this is not [considered] the manner of freedom. And some explain that this refers to the passage above, “until nightfall,” and [it means that] even a poor person in Israel [may not eat before nightfall]. The explanation is that [even] a poor person who did not eat for a number of days may not eat until nightfall. *Tosafot.*  |
| And they may not give him less: [The subject of the Mishna is] the charity collector who supports the poor.And even if he is supported from the charity plate: This [refers to] the poorest of the poor, as we have learned in the Mishna in tractate *Pe’ah*: One who has food for two meals may not take from the charity plate.  |  |
| Than four cups: Corresponding to the four expressions of redemption found in *parashat Va’era*: And I will take out [*v’hotzaiti*], And I will save [*v’hitzalti*], and I will redeem [*v’ga’alti*], and I will take [*v’lakachti*].  |  |
|  | And even from the charity plate: Gemara: Is this not obvious? No, it is necessary to be stated for Rabbi Akiva, who says [it is preferable to] make your Shabbat [into a] weekday, and not to resort to [the help] of the people; here due to publicizing the miracle, he concedes [that one should accept charity].  |

A number of differences are strikingly evident from the comparison of these two commentaries in the above table.

1. The Bartenura explains almost every single passage in the Mishna, and in this regard, his commentary is similar to that of Rashi on the Gemara, as we saw in the previous *shiur.* In contrast, the *Tosefot Yom Tov* only focuses on a number of specific points.
2. The Bartenura explains the concepts found in the Mishna in a very limited manner, though he does occasionally elaborate. The *Tosefot Yom Tov*, in contrast, cites the comments of *Tosafot* as well as the Gemara’s comments about the Mishna for additional explanation and depth.
3. **The Spiritual and Philosophical Worldview of the *Tosefot Yom Tov***

From the elaboration, the style of analysis of the words of the Mishna, and the explanations of the commentaries that preceded him, primarily the Bartenura, a number of dimensions of the worldview of the *Tosefot Yom Tov* may be discerned.

1. **The Approach of *Tosefot Yom Tov* to General Knowledge and Secular Studies**

As we have noted, Rabbi Yom Tov Lipman Heller wrote many books on numerous realms of Torah and other subjects. In many places in his commentary, it is evident that he was had expertise and interest not only in the spheres of Torah, but also in the sciences and in secular wisdom. For instance, the *Tosefot Yom Tov* cites the work of Euclid, a prominent Greek mathematician who lived between the years 365 and 275 BCE, in his commentary to tractate *Kilayim*:

And I confirmed its truth [i.e., of the point being discussed in the commentary there] from Teaching 47 in the first article of Euclid, one of the early elders in Athens, the city of wisdom that is mentioned in the words of Chazal…[[7]](#footnote-7) (Commentary of *Tosefot Yom Tov*, *Kilayim* 3:1)

His respect for the exact sciences is expressed in *Pirkei Avot* as well, where the Mishna states (3:18): “Astronomy and *gematriot* are the condiments for wisdom.” The *Tosefot Yom Tov* there quotes the explanation of the Bartenura, who interprets the word *gematriot* as referring to the numerical value of the Hebrew letters, which is what is referred to today as *gematria* as well. However, the *Tosefot Yom Tov* then suggests that it refers to the wisdom of *tishboret*, i.e., geometry.

And it seems to me that it is a borrowed name and taken from Greek, as this is what they call the wisdom of measuring and geometry... And therefore, this is the explanation of [the word] *gematriot*, which is the wisdom of measuring and geometry, [and this explanation] is close to hear [i.e., is logical]… (Commentary of *Tosefot Yom Tov, Avot* 3:18)

Another important expression of his fundamental worldview in this regard can be found in his work *Divrei Chamudot* on the Rosh (*Berakhot* 5:43). The *Tosefot Yom Tov* there refers to the Mishna (*Berakhot* 33a) that rules that the special insertion known as *Havdala* or *Ata Chonantanu* (you have bestowed us with wisdom)*,* recitedon Saturday night in the evening *Shemoneh Esreh* to mark the distinction between Shabbat and the weekdays,is recited within the *berakha* for wisdom (the fourth *berakha* of the *Shemoneh Esreh*), known as *Chonen Ha-da’at.* He cites the dispute in the *rishonim* whether the insertion is recited at the very beginning of the *berakha* prior to the regular text, or whether it is inserted in the middle, which is the prevalent custom today.

Within this context, the *Tosefot Yom Tov* cites the opinion of Rabbi Mordechai Yaffe, the author of the *Levush*, who explains that one must recite both the regular text of the *berakha*, which begins with “*ata chonen le-adam da’at,*” “you have graciously given knowledge to man,”as well as the first part of the *Havdala* addition, “*ata chonantanu lemada toratekha*,” “you have graciously allowed us to know your Torah,” despite the repetitive nature of the references to wisdom. This is in order to differentiate between the wisdom of the Torah and other forms of wisdom. *Ata Chonen* refers to the wisdom and intellect that God has given to all humans, both Jewish and non-Jewish. In contrast, *ata chonantanu lemada toratekha* was instituted specifically about the wisdom of the Torah, and the special love God has for the Jewish people, as demonstrated by His giving us the Torah. This theme is thus linked to the idea of separating between the holy and the mundane, which is precisely the theme of differentiating between Shabbat and the weekdays.

Rabbi Yaffe continues to explain that one must distinguish between the different categories of wisdom, as they are not at all comparable with each other, like the contrast between light and darkness. Therefore, he concludes that one should recite the next phrase of the standard blessing, “*chanenu me’itcha deah,*” *“*bestow upon us knowledge,”twice: Once following the words of *ata chonen,* referring to general wisdom, and a second time following the passage of *ata chonantanu*, referring to Torah.

The *Tosefot Yom Tov* responds to these comments in the *Divrei Chamudot* as follows:

And that which he made the extreme claim [to refrain] from combining them into one category in one prayer and supplication, this is not a [valid] claim at all, and why not [combine them]? They are indeed composed of one substance and of one theme. And certainly since according to the nature of the creation, this [wisdom] that is [found] in the existence of the world preceded that [wisdom] in the wisdom of the Torah with regard to time. And this is also a known and tangible matter that it [general wisdom] is needed, as how can one ascend to the level of the wisdom of the Torah without knowing [the difference] between right and left in any intellectual [pursuit], first or second? And if [one argues] that the wisdom of the Torah rises above all of them, are not the seven types of wisdoms all included in it…? Therefore, the words should not be repeated; rather, it is sufficient to say “*chanenu* [bestow upon us knowledge]” after *ata chonantanu* alone. (*Divrei Chamudot, Berakhot* 5:43)

According to the argument of the *Tosefot Yom Tov,* general knowledge[[8]](#footnote-8) is not external to the Torah, but rather is included in it and is necessary in order to understand Torah properly.[[9]](#footnote-9)

In this regard, as with regard to many other issues, the *Tosefot Yom Tov* followed the approach of his teacher the Maharal, who noted the value of general knowledge in many places. For example, the Maharal writes the following in *Netivot Olam*:

From this it seems that one should learn the wisdom of the nations… as it is from God, may He be blessed… as wisdom is like a ladder to ascend on to the wisdom of the Torah… one who sees the sages of the nations of the world recites the blessing “Blessed are You… who has given from His wisdom to flesh and blood,” as the sages of the nations are also from God, may He be blessed. (*Maharal, Netiv Olam, Netiv Ha-Torah* chapter 14)

1. **Between Israel and the Other Nations**

The Mishna in tractate *Sanhedrin* (10:2) enumerates a number of individuals who do not receive a portion in the World to Come: “Three kings and four ordinary individuals do not have a portion in the world to come… the four ordinary individuals: Bilaam, Doeg, Achitofel, and Geichazi.” The Rambam, followed by the Bartenura, makes the following comment with regard to the placement of Bilaam on this list:

And it mentions Bilaam, even though he was not from Israel, because the pious of the nations of the world do have a portion in the world to come; therefore, it teaches us that Bilaam is one of the wicked of the nations of the world. (Rambam, Commentary on the Mishna, *Sanhedrin* 10:2)

According to this explanation, the righteous of the nations of the world do indeed receive a portion in the World to Come. The *Tosefot Yom Tov* quotes the above comment of the Rambam, and then adds the following: “With regard to what was written… ‘because we have established that the righteous of the nations of the world have a portion in the World to Come,’ see what I wrote in *Avot* 3:14 in the name of the Rambam.” The *Tosefot Yom Tov* thus references his own comments to *Avot* 3:14, where the Mishna, citing Rabbi Akiva, states:

A person is beloved, because he is created in the image [of God] and greater love is shown to him as he is created in the image [of God], as it is stated: “In the image of God He made man” (*Bereshit* 9:6). Israel is beloved, as they are called children of the Omnipresent; a greater love was shown to them, as they are called children of the Omnipresent, as it is stated: You are children for the Lord, your God (*Devarim* 14:1). (Mishna, *Avot* 3:14)

The *Tosefot Yom Tov* here comments about the first statement in the Mishna referring to all humans:

A person is beloved, because he is created in the image [of God], greater love is shown to him as he is created in the image [of God], as it is stated: “In the image of God He made man” (*Bereshit* 9:6). Rashi explains: “A person is beloved, because he is created in the image [of God], etc. Therefore, he is responsible for fulfilling the desire of his Creator [i.e., some of the commandments].” And Rabbi Akiva said this applied to everyone [Jews and non-Jews alike]; and likewise, the proof that he brought [i.e., the verse] was stated about the descendants of Noach, not only about the Jews. And Rabbi Akiva wanted to bring merit to every person, including the descendants of Noach [and therefore required them to fulfill commandments too].

And the Rambam stated an entire [article] in *Hilkhot Melakhim* 8:10: “Moshe our teacher commanded from the word of God to compel all inhabitants of the world to accept the *mitzvot* that were commanded to the descendants of Noach. And anyone who does not accept them will be killed. And one who does accept them is called a *ger toshav* [resident alien] everywhere [in the Talmud], etc. Anyone who accepts the seven *mitzvot* and is careful to fulfill them, he is one of the righteous of the nations of the world, and he has a portion in the World to Come. And this is provided that he accepts the seven *mitzvot* and performs them. [This is so] because the Holy One, blessed be He commanded them in the Torah. And He informed us through Moshe our teacher, that the descendants of Noach were previously commanded about them. But if they performed them because of their own decision of logic, they are not in the category of *ger toshav,* and they are not one of the righteous of the nations of the world. Rather, they are among their wise ones.”

And now I wonder, why was this path distant from the commentaries, and they did not want to walk down it to explain the words of Rabbi Akiva, as making his statement with regard to every person, but rather to Israel alone. And they were supported by their [i.e., Chazal’s] statement that “you are called Adam,”[[10]](#footnote-10) etc. And this is an exposition on top of an exposition. And because of this [explanation], they entered into a difficulty with the matter of the image, and with the explanation of the verse that he brought as a proof.[[11]](#footnote-11)

But in my eyes, this path is the trodden and easy path, that Rabbi Akiva is coming to praise all those in the world, as we were commanded by Moshe our teacher, in accordance with the words of the Rambam. And if we were commanded [to enforce their fulfillment of the commandments relevant to them] by the force of the sword, killing, or destroying them, then certainly [we are commanded to] convince them by words, to bring their heart to the desire of their Creator and the object of their Rock. They should be remembered for the good. And they are beloved, as they are created in the image [of God], to instruct He placed in their hearts. As this is the law of a person, to fulfill the statues of God and His laws [only] because He commanded them, in accordance with the words of the Rambam, since He loved him to create him in His image.

Therefore, it is incumbent upon him [the non-Jew] to perform the will of his Creator, in accordance with the explanation of Rashi. And now [the fact] that it used this verse works well, even though there are a number of verses that precede it, as it is stated: “Let us make man in our image (*Bereishit* 1:26).” But this verse [in the Mishna] is the one stated with regard to the *mitzvot* that they were commanded. Therefore, he brought this verse in which God stated the reason for the mitzva that He commanded them: “As He created man in the image of God.” And the verse was stated to the descendants of Noach… (*Tosefot Yom Tov, Avot* 3:14)

The *Tosefot Yom Tov* thus rejects those who claim that this Mishna does not refer to the descendants of Noach based on the statement of Chazal, “You are called Adam, and the non-Jews are not called Adam.” Rather, he attempts to prove that the image of God is common to all of humanity. As he explains, the very fact that there is benefit to compel non-Jews to serve God, through force, and certainly through words, illustrates their greatness. If God expects them to fulfill His commandments, then He must see great value in them and their activities. These two passages from the *Tosefot Yom Tov,* especially the second, indicate how important the activities of non-Jews were in his worldview, and how he had a positive outlook on the role and potential of the gentiles in this world.

1. Although the Hebrew word used here is “Mishna,” this quote is actually from a *baraita,* and not from a Mishna. [↑](#footnote-ref-1)
2. This refers to the Maharal of Prague. [↑](#footnote-ref-2)
3. In one place, he writes the following:

“Because he has scorned the word of the Lord” (*Bamidbar* 15:31). Rabbi Natan says: [This refers to] anyone who does not heed the Mishna (*Sanhedrin* 99a).” And these are the actions of this generation, where no one studies the Mishna, as it says that one cannot be called a wise person except through [the study of] Talmud, which is analytical and [involves] give and take. And a person’s heart is drawn to this matter, and he abandons the Mishna. And therefore, one who does not heed [i.e., look out for] the Mishna, about him it is stated: “Because he has scorned the word of the Lord,” as his study is only for wisdom, as every person naturally wishes to become wise, and he does not seek to know the God’s commandments themselves, which appear in the Mishna. (Maharal, *Derekh Chaim,* p.303)

The Maharal also links this to his well-known opposition to the method of *pilpul,* hair-splitting analysis, which had been gaining momentum in those days:

And these are the actions of this generation, when they know themselves that they will not reach the level that the earlier ones reached in their wisdom, because of the low level of their intellect, they give up hope about the matter completely. And they spend their days on matters that do not benefit their Talmud [study], in the discussion of the give and take that has no substance to it. And they who are young in age neglect the true Torah, and follow these matters… Instead of sharpening [where his logic should be sharp], he is confused and skews his intellect… therefore [with regard to] the generation that is lacking in intellect, it would be more appropriate for them to be more productive and reliable, to have an organized purpose in their study, and in this manner they would reach a significant level.

But this too is distant from them… Because due to the greatness of the brokenness of my heart inside me I find solace for my soul, what emerges from my spirit, which is broken over this matter, in every place that my hand reaches… because no one follows the study order that our forefathers, who were great sages, arranged for us… and therefore, they have arranged for us that a person must first acquire scripture, as it is the root and the beginning, and then the Mishna… (Maharal, *Tiferet Yisrael* chapter 56).

For additional sources in the Maharal on this topic, see Rav Zev Melzer, *Hashkafat Olamah shel Ha-Yahadut al pi Ha-Maharal Mi-Prague*,” Bnei Brak, 1985.

 [↑](#footnote-ref-3)
4. In *shiur* 13, we already discussed the eminent status of the commentary of the Bartenura, such that nearly all of the subsequent commentaries on the Mishna reference his commentary in some form. [↑](#footnote-ref-4)
5. Some of the books of the *Nevi’im* are called by the name of the prophet, such as *Yehoshua* or *Yechezkel*, and some called by the theme, such as the Book of Kings or the Book of Psalms. [↑](#footnote-ref-5)
6. The *Tosefot Yom Tov* here is referring to the two sections of the afternoon: *Mincha Gedola*, the 3.5 hours after midday, and *Mincha Ketana,* the 2.5 hours after that time until nightfall (see *shiur* 12 where these concepts are explained). The intention here is that unlike in the Mishna in *Shabbat,* which discusses performing activities during the time of *Mincha Gedola,* prior to praying the *Mincha,* afternoon prayer, the Mishna here forbids eating only from *Mincha Ketana.* The reason is that here the concern is based on ensuring an appetite for the consumption of matza at night, so refraining from eating satiating foods from the time of *Mincha Ketana* is sufficient. [↑](#footnote-ref-6)
7. See *Bekhorot* 8a where the wise men of Athens are discussed. The next words of the *Tosefot Yom Tov* here are also interesting in our context: “And if I would quote his words, and explain it so that every reader would understand it, I would need a number of introductions to present prior knowledge, to the extent that it would almost be a short, independent work. And if I quoted it without any explanation, it would be of no benefit except to those who know this already, and they would already understand it from the book itself, and this would [therefore] also be unnecessary. However, here I attempted to superficially explain the words of the Rambam until his ways were known.” [↑](#footnote-ref-7)
8. He refers here to the exact sciences, but it is uncertain what his position would be with regard to the fields of the humanities. [↑](#footnote-ref-8)
9. See also his comments in his work *Malbushei Yom Tov*, which was written as a commentary on the *Levush Mordekhai* by Rabbi Mordechai Yaffe, O.C. 294: “The natural wisdom of a person, although it is not on the level of the wisdom of the intellect derived from the Torah, is nevertheless important, and is great in the species of man.” [↑](#footnote-ref-9)
10. This is a reference to the Gemara in *Yevamot* 60b: “The graves of non-Jews do not impart impurity through a tent, as it is stated: ‘And you are my sheep, the sheep of my flock of humans [*adam*]’ (*Yechezkel* 34:31). You [the Jews] are called *adam,* but the non-Jews are not called *adam.”*  [↑](#footnote-ref-10)
11. The *Tosefot Yom Tov* is pointing out here that according to this alternative explanation that even the first clause refers only to the Jewish people, it is difficult to understand why only Jews are created in the image of God, as the Torah clearly states (*Bereshit* 1:26-27) that Adam, and all people, were created in the image of God. Furthermore, he notes that the verse adduced by the Mishna from *Bereshit* chapter 9 clearly refers to Noach and his descendants, not solely to Jews. [↑](#footnote-ref-11)