YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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**"My Children have Defeated Me"**

**Fundamental questions in the study of the Oral Law**

**Rav Amnon Bazak**

**Shiur #39: Chapter Six (4)**

**The Plain Meaning of the Mishna and Its Interpretation in the**

**Gemara**

**II. The Legitimacy of Interpreting the Mishna According to its Plain Sense (continued)**

**3. Interpretations of the *Acharonim***

A significant change took place in the period of the *Acharonim* regarding the study of the Mishna in general. As we have seen, studying the Mishna in itself was relatively rare during the period of the *Rishonim*. At that time, Mishna study was included in the study of the Gemara. In the period of the *Acharonim*, however, studying the Mishna as an independent corpus became more and more common. Various factors contributed to this change.[[1]](#footnote-1) First, several Torah authorities came to the conclusion that studying Mishna is the basic foundation for learning all of the Oral Law. The Maharal of Prague,[[2]](#footnote-2) for example, attached particular significance to the Mishna's directive (*Avot* 5:21): "Five years [is the age] for [the study of] Scripture; ten for [the study of] Mishna; thirteen for [becoming subject to] commandments; fifteen for [the study of] Talmud." He commented on this as follows:

After he has finished the holy work of the Mishna, which is the great foundation and iron pillar of the entire Torah, when he draws near to the holy work, the Talmud, then he can build a tower whose top is in heaven; not a pebble will fall to the ground, all on the existing foundation – the Mishna, which is for it a firm foundation. (*Gur Aryeh*, *Devarim* 6:7)

Second, a growing preoccupation with Kabbala, which assumed a central role in the Jewish world starting in the sixteenth century, brought with it a unique attitude toward Mishna study, as the *Shelah*,[[3]](#footnote-3) for example, writes:

Most of one's study should involve the *mishnayot*, learning and reviewing them endlessly. One should also study a law in the Talmud every day and engage in true analysis. Fortunate is he who merits knowing the six orders of the Mishna fluently and by heart. Then he will make a ladder for the soul [*neshama*] to ascend upward to a higher level. And your sign [mnemonic] is: 'Mishna' contains the letters of *'neshama*’ (soul). (*Shenei Luchot ha-Brit*, *Shevu'ot*, chap. *ner mitzva*, par. 35)[[4]](#footnote-4)

The above perspectives, along with the help of the commentary of Rabbi Ovadia of Bartenura[[5]](#footnote-5) and the development of printing technology, led to a flourishing of Mishna study and to the growth of an extensive exegetical literature on the Mishna, the likes of which had never been seen before. The renewed study of Mishna naturally raised questions about how to deal with its plain meaning.

The most explicit and direct source on this topic among the commentators to the Mishna is a remark of Rabbi Yom Tov Lipmann Heller,[[6]](#footnote-6) author of the *Tosefot Yom Tov.*[[7]](#footnote-7) His words relate to a *mishna* about a sort of "wager" between different people concerning the identity of a person walking in front of them:

If [people] were walking along the road and [saw] someone coming towards them, and one said: I declare myself a nazirite if it is So-and-so; and another said: I declare myself a nazirite if it is not So-and-so; I declare[[8]](#footnote-8) myself a nazirite if one of you is a nazirite; [I declare myself a nazirite] if neither of you is a nazirite; [I declare myself a nazirite] if both of you are nazirites; [I declare myself a nazirite] if all of you are nazirites – Beit Shammai say that all [six] of them are nazirites, but Beit Hillel say that only those whose words were not fulfilled are nazirites. (*Nazir* 5:5)

Beit Hillel's words are very surprising: why is it those "whose words were *not* fulfilled" who become nazirites? On the contrary, it would have been much more appropriate to say that "only those whose words *were* fulfilled are nazirites"! Indeed, the Gemara (*Nazir* 32b) asks this question, and it offers two answers. The first answer changes the reading in the *mishna*: "Rav Yehuda said: Read: 'those whose words were fulfilled.'" The second answer interprets the Mishna as referring to a case where the various people added other words to their statements (ibid. 33a): "Abaye said: Where he added, for example, 'even if he is not So-and-so, I intend to be a nazirite.' What then is the meaning of the phrase: ‘whose words were not fulfilled'? His first words were not fulfilled, but his later words were fulfilled." Either way, both opinions agree that the Mishna cannot be understood according to its plain sense.

The Rambam, however, in his commentary to the Mishna, explains the Mishna in accordance with its plain meaning:

And Beit Hillel say that if something that would exempt him from naziriteship was not fulfilled, he is obligated in naziriteship. For example, if one said: I declare myself a nazirite if it is So-and-so, if his words were fulfilled and it was So-and-so, he is obligated in naziriteship. And if he said: I declare myself a nazirite if it is not So-and-so, and it turns out that it is [not] So-and-so, so that his words were not fulfilled, he is obligated in naziriteship.

The *Tosefot Yom Tov* cites the Rambam's explanation and sharply concludes: "Thus far his formulation, and his words are fulfilled." He notes that the Rambam's interpretation does not accord with either explanation in the Gemara, but in his opinion, this poses no difficulty:

Even though the Gemara did not explain [the *mishna*] in this manner, since it has no practical implications, permission is granted to explain [as he sees fit]. For I see no difference between interpreting the Mishna and interpreting Scripture – for permission is granted to interpret Scripture, as our eyes see compilations of commentaries from the days of the Gemara. Only that one must not decide and interpret a law in such a way that contradicts the view of the Sages of the Gemara.

According to the *Tosefot Yom Tov,* one may interpret a *mishna* in a manner that is different from the way it was interpreted in the Gemara, just like the exegetical tradition regarding Scripture was never limited to interpretations consistent with *Chazal*’s *midrashim*. However, he adds a fundamental proviso: the interpretation must not have halakhic implications, and there must be no practical contradiction between it and the Gemara’s interpretation – even if it is clear that the practical ruling will be in accordance with the Gemara. This approach opens the door to accept in certain cases an interpretation in accordance with the plain sense of the Mishna and against the Gemara, but this opening is very narrow – only in cases where the gap between the plain meaning of the Mishna and the explanation offered by the Gemara is exclusively on the exegetical plane, with no practical consequences. It is reasonable to assume this limitation was intended to address the danger that interpreting the plain meaning of a *mishna* with halakhic implications might undermine people's commitment to Halakha – regarding the specific topic of that *mishna*, and perhaps also in general.

Indeed, elsewhere the *Tosefot Yom Tov* refuses to accept the legitimacy of an interpretation that explains a law in the Mishna with a reason different from the reason offered by the Gemara. The topic relates to the stage at which one is forbidden to cut down fruit trees during the sabbatical year:

From when can trees no longer be felled in the sabbatical year? Beit Shammai say: After they had put forth leaves. Beit Hillel say: Carob trees after they begin to droop; vines after they had yielded berries; olive trees after they had blossomed; any other trees after they had put forth leaves. (*Shevi'it* 4:10)

The Mishna does not explain why there is a prohibition to cut down fruit trees during the sabbatical year, but the Gemara provides an explanation:

Rabbi Elai cut down date-berries[[9]](#footnote-9) of the sabbatical year. How did he do this? The Merciful One said: "[It shall be for you] to eat" – not to destroy! (*Pesachim* 52b)

The Gemara's answer is not relevant to our discussion, other than the fact that it cites a derivation from a verse to explain why fruit trees may not be cut down in the sabbatical year. The verse in *Vayikra* (25:6) states, "And the sabbath-produce of the land shall be for you to eat," from which it is inferred: "to eat, but not to destroy" – meaning, fruit trees cannot be cut down. The Rambam, however, offers a different explanation in his commentary:

One is forbidden to fell trees during the sabbatical year, if they have started to produce their fruit, because he robs from people, because God gave their fruit to all people.

Rabbi Ovadia of Bartenura cites the Rambam’s explanation and notes its difference from what is explained in the Gemara:

Trees may not be felled in the sabbatical year – because the Merciful One said: "[It shall be for you] to eat, but not to spoil." *And I heard that* since the Merciful One declared the produce ownerless, if one cuts [the trees] down, he steals from the community.

In his commentary to this *mishna*, the *Tosefot Yom Tov* maintains that there is no room to offer an explanation different from that of the Gemara, even if it does not change the meaning of the *mishna*, because when there are two different reasons for a particular law, there are usually practical halakhic differences between them. According to him, giving a reason for a law moves from the realm of interpretation to the realm of Halakha, and therefore it is illegitimate to offer an explanation different from that which is explicitly stated in the Gemara:

Rabbi B.[[10]](#footnote-10) writes: "And I heard that since the Merciful One declared the produce ownerless, [if one cuts the trees down, he steals from the community]. This is the interpretation of the Rambam in his commentary. I wonder about what brought him to offer an explanation different from that stated in the Gemara… Even though the Torah may be interpreted in different ways, that applies to interpretation, but as for halakhic rulings, all we have is what the Talmudic Sages have stated. For without a doubt, based on the reason, the law changes with respect to what may be inferred from it. And in his code, chapter 5, he writes: "And it is stated: '[It shall be] for you to eat,' but not to destroy."[[11]](#footnote-11) Therefore, it seems to me that the Rambam in his commentary meant only to provide a reason for the exposition, "to eat, and not to destroy," saying that it is because of stealing from the community. Thus, there is no difference between the first explanation and the second explanation, as the Bartenura thought that they are two [different] reasons. In any event, it seems that there is no need for his explanation. Rather, this is the mitzvaof the sabbatical year – to not destroy its produce, but rather the produce should be important and not destroyed.

The *Tosefot Yom Tov* claims that even the Rambam did not mean to suggest a different explanation, but only to explain the exposition of the verse, though he admits this explanation is unnecessary. But Rabbi Ovadia of Bartenura believed there was no difficulty, apparently because he saw no problem in giving a reason that differs from the reason mentioned in the Gemara – and indeed, this phenomenon is found in the Rambam's commentary to the Mishna in other places as well.[[12]](#footnote-12)

Even though the novelty in the *Tosefot Yom Tov*’sposition is quite limited, there are those who disagree with him and argue that one may never interpret a *mishna* differently from what is explained in the Gemara, even when that would have no practical halakhic consequences. Thus, for example, writes the *Mishneh la-Melekh* in his commentary to the Rambam (*Hilkhot Nezirut* 2:8): "It is puzzling to me that our master offered an explanation of the Mishna that is the opposite of what is stated in the Talmud, even though it has no practical halakhic implications." He concludes that the Rambam had a different reading in the Gemara, and wrote his commentary based on that.[[13]](#footnote-13)

On the other side, there are those who do not accept the limitation set by the *Tosefot Yom Tov*, and argue that there is value in interpreting the Mishna in accordance with its plain meaning, against an *ukimta* proposed by the Gemara, even where this has practical halakhic consequences. This is what Rabbi Yaakov Emden[[14]](#footnote-14) writes in his commentary to the Mishna:

I have humbly directed my heart in all places like this to explain the wording of the *Tanna* to the degree possible in accordance with its plain sense… for it is no empty thing, even where the Talmud explicitly says to add or detract, one must seek an explanation of the text of the Tanna that was not taught in proper manner. (*Lechem Shamayim*, *Berakhot* 5:4)

The tendency to interpret a *mishna* in accordance with its plain meaning is especially evident in the writings of the Vilna Gaon and his school. The Gra interpreted *mishnayot* not according to the Gemara in several places, and the *Acharonim* have more than once pointed to the affinity between his interpretations and the approach of the *Tosefot Yom Tov.* I will illustrate this phenomenon with the Gra's interpretation of a *mishna* that deals with the *Zimmun* blessing recited before *Birkat ha-Mazon*:

What is the formula for *Zimmun*? If there are three, he [the leader] says: "Let us bless [Him of whose bounty we have eaten]." If there are three besides himself, he says: "Bless [...]." If there are ten, he says: "Let us bless our God [...]." If there are ten besides himself, he says: "Bless [...]." It is the same whether there are ten or ten myriads. If there are a hundred, he says: "Let us bless the Lord our God [...]." If there are a hundred besides himself, he says: "Bless [...]." If there are a thousand, he says: "Let us bless the Lord our God, the God of Israel [...]." If there are a thousand besides himself, he says: "Bless [...]." If there are ten thousand, he says: "Let us bless the Lord our God, the God of Israel, the God of hosts, who dwells among the cherubim, for the food which we have eaten." If there are ten thousand besides himself, he says: "Bless [...]." (*Berakhot* 7:3)

The difficulty in this *mishna* is obvious. First it says: "It is the same whether there are ten or ten myriads," which implies that there is only one distinction regarding the formula of *Zimmun*: when there are between three and nine people, there is no mention of the name of God, whereas with ten people or more, he says: "Let us bless our God." However, the *mishna* then lists different formulas for *Zimmun* with a hundred, a thousand, or ten thousand people. What are we to do with this contradiction?

The Gemara reconciles the matter as follows:

Rav Yosef said: There is no contradiction: one statement expresses the view of Rabbi Yose the Galilean; the other, of Rabbi Akiva. (*Berakhot* 50a)

Rav Yosef's solution is based on a Tannitic dispute brought later in the Mishna, which indeed deals with the question of the significance of the number of people participating in the *Zimmun*:

Rabbi Yose the Galilean says: The formula of *Zimmun* corresponds to the number assembled, as it is stated: "Bless you God in full assemblies, even the Lord, You that are from the fountain of Israel" (*Tehillim* 68:27). Rabbi Akiva said: What do we find in the synagogue? Whether there are many or few, the reader says: "Bless you the Lord."

Rav Yosef concludes from this that the seeming contradiction in the *mishna* represents two different opinions: Rabbi Akiva (who maintains that just as in the synagogue there is no difference between a quorum of ten worshippers and many more worshippers, so too regarding *Zimmun* there is no difference) taught the beginning of the *mishna*: "It is the same whether there are ten or ten myriads"; whereas the continuation of the *mishna*, which distinguishes between ten, a hundred, a thousand, and ten thousand people with respect to *Zimmun*, reflects the position of Rabbi Yose the Galilean (who maintains: "The formula of *Zimmun* corresponds to the number assembled").

However, it is difficult to accept this explanation as the plain meaning of the *mishna*, as it does not contain a hint to this dispute in the first part. For this reason, the Gra offers a different understanding in his commentary to the Mishna, *Shenot Eliyahu*:

It is the same whether there are ten or there are ten myriads. This means: Whether there are ten or there are ten myriads, he mentions the name of God. But the difference is that with a hundred he says…, with a thousand he says…, and with ten thousand he says….

According to this interpretation, there is no contradiction between the different parts of the *mishna*. Both reflect the position of Rabbi Yose the Galilean, that the text of *Zimmun* "corresponds to the number assembled." The first part of the *mishna* merely wishes to emphasize the essential difference between *Zimmun* with fewer than ten people and *Zimmun* with ten or more – that with fewer than ten people, there is no mention of the name of God, whereas with ten or more, the name of God is always mentioned: "It is the same whether there are ten or there are ten myriads." However, there are still differences in the formula depending on whether there are ten, a hundred, a thousand, or a myriad.

The Rashash,[[15]](#footnote-15) in his commentary to the Gemara in *Berakhot* (*ad loc*.) notes the fact that the Gra explains the *mishna* not in accordance with the Gemara:

In *Shenot Eliyahu*, [the Gra] explains that this means they are the same in that the *Zimmun* blessing includes the name of God, but the difference is that with a hundred, etc. Ostensibly, he explains [the *mishna*] not according to the Gemara, which explains that one statement expresses the view of Rabbi Yose the Galilean, and the other, of Rabbi Akiva. See *Nazir* 5:5 in the *Tosefot Yom Tov.*

The Rashash mentions the words of the *Tosefot Yom Tov* that we saw above, apparently as support for the allowance to explain the plain meaning of a *mishna* not according to the Gemara, as long as there are no halakhic ramifications – as in this case, where the Gra's proposal changes nothing from a halakhic point of view, since the Tannaitic dispute remains in place.

In a similar case, the Gra comments on the gap between his own interpretation of a *mishna* and the interpretation given by the Gemara. In this matter as well, the Gemara had difficulty understanding the relationship between two parts of the *mishna*:

*Me'isa* – Beit Shammai exempts [from *challa*], whereas Beit Hillel makes it liable.

*Chalita* – Beit Shammai makes it liable [for *challa*], whereas Beit Hillel exempts it. (*Challa* 1:6)

The Gemara (*Pesachim* 37b) explains that *me'isa* and *chalita* are similar phenomena: *me'isa* is flour poured over boiling water, whereas *chalita* is boiling water poured over flour. Nevertheless, according to the Gemara, there is no difference between them regarding liability for *challa,* and therefore it explains that there is a Tannaitic dispute regarding the position of Beit Shammai and Beit Hillel about both *me'isa* and *chalita*:

Now according to the first *Tanna*, what is the difference between *me'isa* and *chalita*? Rav Yehuda said in the name of Shmuel, and so said Rabbi Yehuda, and some say Rabbi Yehoshua ben Levi: Just as there is a dispute in respect of the one, so is there a dispute in respect of the other, and they [the two clauses] are contradictory; he who taught the one did not teach the other. (*Pesachim* 36b)

The Gra comments on these words of the Gemara:

But it is difficult, how did Rabbi [Yehuda Ha-Nasi] arrange two *mishnayot*, one next to the other without a dispute, seeing that they disagree with each other? (Gra's commentary to the *Yerushalmi*, *Challa* 1:4)

Owing to this difficulty, the Gra explains that at least according to some opinions, the *mishna* can be understood in its plain sense, according to which Beit Hillel make *me'isa* liable for *challa*, but not *chalita*.[[16]](#footnote-16)As stated, the Gra adopted this approach in other cases as well.[[17]](#footnote-17) However, the Gra never explained in his various writings what the relationship is between the plain meaning of a *mishna* and the *ukimta* proposed by the Gemara.

To conclude this brief review, note that interpretation of the Mishna in accordance with its plain meaning, and not according to the Gemara, was the subject of extensive debate among the sages of Israel in the nineteenth century and provoked a particularly charged discussion, which was part of a broader debate about issues of religion and tradition at that time.[[18]](#footnote-18)

As mentioned at the beginning of the discussion, while interpretation of the Mishna generally focused on explanations arising from the halakhic conclusions that emerged from the Gemara, there are cases in which the *Rishonim* and *Acharonim* did not hesitate to interpret the Mishna in its plain sense, not according to the Gemara, based on the assumption that the *ukimta* in the Gemara is not necessarily the only legitimate interpretation.

Now we can return to our basic question: How are we to understand the phenomenon of an *ukimta* that interprets a *mishna* not in accordance with its plain meaning?

(Translated by David Strauss)

1. See A. Arendt, "*Limud Mishna ve-Chevrot Mishna be-Et ha-Chadasha*," *JSIS* 3, 2004, pp. 19-53. [↑](#footnote-ref-1)
2. Rabbi Yehuda Loew, c.1520-1609, Poland-Prague. [↑](#footnote-ref-2)
3. Rabbi Yeshayahu Halevi Horowitz, c.1558-1630, Poland-Prague-Land of Israel, known as the *Shelah* from the initial letters of his best-known book, *Shenei Luchot Ha-Berit*, which combines Kabbala, moral conduct, and Halakha. [↑](#footnote-ref-3)
4. On the attitude of Kabbala to the Mishna, see Rabbi J. Zwi Werblowsky, *Rabbi Yosef Karo – Baal Halakha u-Mekubal*, Jerusalem 5756, pp. 242-258; Arendt (above, note 1), pp. 22-24. [↑](#footnote-ref-4)
5. Rabbi Ovadia of Bartenura, c.1440–c.1515, Italy-Land of Israel. His commentary to the Mishna was first published in Venice in 1548-1549 and became one of the most important and widespread commentaries of all times. The compilation of this commentary by an Italian scholar is not surprising, for it was common in Italy to study the Mishna as an independent book, even without studying the Gemara. Y. Sussmann ("*Kitvei Yad u-Mesorot Nusach shel ha-Mishna*," *Divrei ha-Kongress ha-Olami ha-Shevi'i le-Mada'ei ha-Yahadut – Mechkarim be-Talmud, Halakha u-Midrash*, Jerusalem 5741, p. 220-222) pointed to the fact that all the manuscripts of the Mishna without commentaries are Italian manuscripts, and noted that in Italy "there was, apparently, a strong tradition of Mishna study from ancient times to later times" (ibid., p.234). [↑](#footnote-ref-5)
6. Rabbi Yom Tov Lipmann Heller, 1543-1579, Prague-Cracow. His commentary on the Mishna, *Tosefot Yom Tov*, was written under the influence of his teacher, the Maharal of Prague. He writes in the introduction to his commentary: "Our great teacher, master and rabbi, the Gaon Rabbi Yehuda Loew son of Betzalel [= the Maharal], who headed a yeshiva and disseminated Torah to the community with the great measure, the measure of the Gemara, as is well known, later demanded that we run to the Mishna, until groups and circles were formed… and they occupy themselves every day with a chapter of Mishna, and review it many times. This was from God, a statute not to be violated. Not only in the holy congregation of Prague, where the decree was issued by the aforementioned Gaon, but also in the rest of the holy congregations, near and far, they accepted upon themselves to teach [the Mishna] in Israel." His commentary is called *Tosefot Yom Tov* because he viewed it an expansion and addition to the widespread commentary of Rabbi Ovadia of Bartenura, as he notes in the introduction: "This is my task to be exacting with the Mishna, if there is something that requires explanation and was not explained in the commentary of Rabbi Bartenura, or if there is a contradiction from a different *mishna* and Rabbi Bartenura did not comment about it, and so too in the commentary of Rabbi Bartenura, if there is something that requires explanation." All this notwithstanding, the *Tosefot Yom Tov* does not hesitate to disagree with Rabbi Ovadia in many places. [↑](#footnote-ref-6)
7. Even before him, interpretations of the Mishna in accordance with its plain meaning, rather than according to the Gemara, were written by a less well-known authority, Rabbi Yosef Ashkenazi of Tzfat (1530-1577), who dealt extensively with interpretation of the Mishna in the framework of the flourishing of Mishna study in kabbalistic circles (see note 4 above). Regarding his interpretations of the Mishna in accordance with its plain meaning, which are often cited in the *Melekhet Shlomo* commentary of Rabbi Shlomo Adani, see Ch. Gafni, *Peshuta shel Mishna*, Tel Aviv 5751, pp. 43-44, and the examples brought there, note 28. [↑](#footnote-ref-7)
8. That is to say, if a third one said: I declare myself a nazirite if one of you is a nazirite, and a fourth one said: I declare myself a nazirite if neither of you is a nazirite, and so on. [↑](#footnote-ref-8)
9. Rashi, ad loc. (s.v. *katz*): "A date palm laden with date-berries, that is, small dates that have not yet ripened, and he cut down the trees, and destroyed the date-berries." [↑](#footnote-ref-9)
10. That is, Rabbi Bartenura = Rabbi Ovadia of Bartenura. [↑](#footnote-ref-10)
11. The *Tosefot Yom Tov* notes here that in the *Mishneh Torah*,the Rambam does not mention the reason that he gives in his commentary to the Mishna. There, he brings only the words of the Gemara: "Once they have begun to produce fruit, however, they should not be cut down, for doing so destroys [the fruit], and [the fruit of the sabbatical year is granted] 'to eat,' not to destroy" (*Hilkhot Shemita ve-Yovel* 5:17). There is, however, no difficulty with this: in the *Mishneh Torah*,the Rambam brings the explanation mentioned in the Gemara, which is halakhically binding; there is no contradiction between that and the legitimacy that he saw to offer alternative explanations in his commentary to the Mishna. [↑](#footnote-ref-11)
12. See, for example, in the following three places (brought by Ch. Albeck, notes to the Meiri's *Beit ha-Bechira* on *Yevamot,* Berlin 5682, p. 280, note 143; K. Kahana, *Cheker ve-Iyun* I, Tel Aviv 5720, pp. 146-149): the Rambam's commentary to *Yevamot* 8:3, which contradicts the Gemara there, 77b; his commentary to *Makkot* 3:4, which contradicts the Gemara in *Chullin* 141a; and his commentary to *Ketubot* 2:2, which is different from *Ketubot* 16a. There have been, however, those who dispute this claim and argue that the words of the Rambam can be reconciled with the words of the Gemara. A systematic approach to the issue is brought by Rabbi B.Z. Benedict, *Ha-Rambam le-Lo Setiya min ha-Talmud*, Jerusalem 5745, especially pp. 69-85, 193-205. [↑](#footnote-ref-12)
13. On this topic, see also the disagreement between Rabbi Meshulam Rata and Rabbi Yehuda Leib Maimon in *Sefer Kevod Yom Tov*, Jerusalem 5716, pp. 90-94, and the note on p. 92. [↑](#footnote-ref-13)
14. Germany, 1697-1776. For his approach to the interpretation of the Mishna, see Gafni (note 7 above), pp. 46-47. [↑](#footnote-ref-14)
15. Rabbi Shmuel Strashun, 1793-1872, Lithuania. [↑](#footnote-ref-15)
16. The Gra explains that according to the opinion that "*ila'a gavar*," i.e., that the upper component prevails over the lower component (with which Rabbi Yehuda Ha-Nasi might agree), we understand why with *me'isa*, where the flour prevails, there is an obligation of *challa*, but not with *chalita*. But according to the opinion that *tata'a gavar*, i.e., that the lower component prevails over the upper component, we can say that even cooking at the level of *kedei kelipa* (a paring's width) imposes liability for *challa.* Therefore, in his opinion, we must say that the *mishna* reflects the opinions of two different *Tannaim*. [↑](#footnote-ref-16)
17. See, for example, his commentary on *Berakhot* 4:1, regarding "the evening prayer has no fixed time"; *Makhshirin* 6:3; *Yadayim* 4:2. For additional sources, see Gafni (note 7 above), pp. 56-58. [↑](#footnote-ref-17)
18. Most of Gafni's fascinating book (note 7 above) is dedicated to this debate. [↑](#footnote-ref-18)