YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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**Commentaries on the Mishna**

**By Rav Yosef Marcus**

**Shiur#11: The Commentary of Rav Ovadya of Bartenura**

1. **General Overview of the Life of Rav Ovadya of Bartenura**

The Rambam was the only one in his generation and the subsequent generations to write a comprehensive commentary on the Mishna. However, in the 15th century there was an explosion of Mishna study, which corresponded to, and may have been linked to, the publishing of Rav Ovadya of Bartenura’s famous commentary (from here one he is referred to as Rav Ovadya or the Bartenura). Rav Ovadya was born in approximately 1435[[1]](#footnote-1) in the city of Bartenura in northern Italy. This is, of course, why he is referred to as Rabbi Ovadya of Bartenura, though this version of his name may only have spread following his death.[[2]](#footnote-2) He studied Torah with his father, and he may also have been a student of the Maharik.[[3]](#footnote-3) After leaving his own city, he resided in a number of other places in Italy, until he was appointed as the rabbi of the city of Castello.

In 1486, Rabbi Ovadya began his journey to the land of Israel, apparently without his family. He relates his travels at length in a letter he sent to his father, [[4]](#footnote-4) in which he describes the various places he visited on his way. He also describes various religious customs practiced by the communities that he encountered. It took him two and a half years to reach Israel (which he did by way of Egypt), and upon doing so, he moved to Jerusalem. On his way to Jerusalem, he passed through Gaza, Hevron, and Rachel’s Tomb.

In his letter to his father, he describes these places:

Until we reached Gaza… and it is a large and beautiful city… in Gaza, I saw the house that Shimshon toppled down on top of the Philistines, according to what the Jewish residents told me. And in Gaza, there are about seventy rabbinic heads of household… on Sunday, 11 Nissan, we departed from Gaza… and on Monday, we arrived in Hevron, which is a small city…

I was in *Me’arat Ha-Machpela* (The Cave of the Patriarchs)and it has a large structure of the Arabs on it, and the Arabs conduct themselves with great respect and awe in that place… and there is a small window outside of the wall on top of the cave, and they say that the window extends down opposite the grave of Avraham… and Jews are given permission to prostrate themselves and to pray there… we traveled from Hevron on Tuesday morning, 13 Nissan, and Hevron is approximately a half a day’s journey from Jerusalem… and we reached Rachel’s Tomb, and it is right on the way, and we descended from the donkey, and prostrated ourselves at her grave… and it is about ¾ of a *mil* from Jerusalem… the celebrated city became visible to us, the city of our joy, and there we tore our garments as the obligation [dictates],[[5]](#footnote-5) and when we traveled a bit more, the destroyed house of our holiness and glory became visible to us, and we tore [our garments] a second time, this time for the Temple…

Rav Ovadya ultimately settled in Jerusalem, a community that at that time numbered only a few families, but grew during his time there. Rav Ovadya quickly became the leader of both the Ashkenazic and Sefardic communities, and taught a great deal of Torah there. He passed away in Jerusalem and was buried on the Mount of Olives. Testimony of the location of his burial place appears in a work called *Get Pashut,* by Rabbi Moshe ben Chaviv:

Today, this known spring on the southern [side] of Jerusalem is called Silwan in Arabic; there is a cemetery there adjacent to the sealed cave in which the Mordekhai, Rabbeinu Kalonymus, and Rabbeinu Ovadya of Bartenura are buried.

Today, this location has been identified as being in the KidronValleyat the foot of the Mount of Olives, which is located in the eastern part of the City of David.

1. **Rav Ovadya of Bartenura’s Commentary on the Mishna**

Rav Ovadya authored two works: his commentary on the Mishna, which is very well-known, and a commentary on Rashi on the Torah. He probably began working on the commentary on the Mishna shortly following his arrival to the land of Israel, as it is not mentioned in the letter to his father which details all of his activities until that time. Some go so far as to claim that he did not even plan to write it initially; rather, it began in the form of public lectures given on the Mishna. On this matter, Rabbi Dr. Yisrael Dov Lerner[[6]](#footnote-6) notes that interestingly, Rav Ovadya did not write an introduction or overview to the commentary.

The commentary of Rav Ovadya quickly became a popular and sought-after work. It was first printed in Venice in 1548 by his brother. After that time, almost every printed version of the Mishna contained his commentary on the side. Some suggest that his commentary is one of the reasons for the increase of Mishna study from the 16th century and onward.[[7]](#footnote-7) Additional proof of the tremendous importance of his commentary is the fact that nearly all of the subsequent commentaries on the Mishna refer to his commentary as their starting point. This is stated explicitly by the *Tosefot Yom Tov* in his introduction to his commentary on the Mishna:

…The great eagle, the Rambam, arose and explained it [the Mishna], and after him the complete sage, our teacher Rav Ovadya Bartenura, authored a commentary, as the Rambam’s commentary was not sufficient… and I in my humbleness sought to understood the Mishna with the commentary of the Bartenura, because his commentary usually reflects the “general explanation” [i.e., the standard approach] because his explanation is based on Rashi’s commentary.

And I joined one of the study groups, and when I traversed the great and wide sea [of Mishna], there were innumerable hints (based on *Tehillim* 104:25); subtle issues and greater matters. There my humble intellect reached as far as it could. And we found a number of gates of the Mishna that were ambiguous, not explained. And likewise, a number of *mishnayot* that contradicted each other that the Bartenura did not explain.

Now, this is not a deficiency of the commentary, but rather, it is our own fault… as the Bartenura knew [the meaning] but did not explain it, as he thought that it [was so clear, it] needed no explanation… therefore, I saw that it was fitting to call this work by the name of *Tosefot Yom Tov,* after the nature of the work and its creator, because this is its theme, that it adds [my] explanation to the Bartenura’s explanation, both in places where he did not explain, as well in places where his own commentary requires explanation. Similarly, the style of the commentary follows the form of the commentaries of *Tosafot* composed on the Gemara. This should be the principle – that one who adds, he himself is added to from Heaven. (Introduction to the *Tosefot Yom Tov* on the Mishna)

The author of the *Tosefot Yom Tov* declares here that his commentaryon the Mishna is in essence an addition (from the Hebrew word *tosefet*) to the commentary of the Bartenura, just as *Tosafot* on the Gemara is an addition to the commentary of Rashi.

The author of the commentary *Melekhet Shlomo* expresses similar sentiments in his introduction to the Mishna where he lists the benefits of his work:

First, [with regard to] the language of the Mishna in the first printing of Rav Ovadya,[[8]](#footnote-8) I will edit it based on authors and also based on books… second, I will edit Rav Ovadya’s commentary and the areas that it is lacking in a number of places, or questions on it… fourth, [there are] a number of places where Rav Ovadya abridged his words, where my intellect was incapable of understanding due to its abbreviated form… (Introduction to the *Melekhet Shlomo* on the Mishna)

A third example of this phenomenon can be found in the introduction of the author of the *Tiferet Yisrael* to the Mishna:

One of the famous commentaries that [the people of] Israel have accepted [and] which has become a cornerstone [are] the words of our teacher, Bartenura, and his words are the covenant, [i.e.,] they are the matters that were said at Sinai [i.e., they are entirely accurate].

What is it about the commentary of the Bartenura that has transformed it into a “cornerstone” for those that study Mishna?

1. **The Rashi of Mishna**

In the introduction to his commentary, the author of the *Tosefot Yom Tov* discusses the nature of the Bartenura’s commentary, and attempts to distinguish between it and the Rambam’s commentary. He explains that the Rambam focused on presenting the principles, and explained only the main themes. The Bartenura, on the other hand, explained the Mishna with a running commentary, similar to Rashi’s commentary on the Gemara:

The style of the Rambam’s commentary is to develop principles and general rules for the Mishna, and to connect topics. This enables us to understand the intention of the Mishna. But this is not the style of Rashi’s commentary, which explains phrase by phrase according to the order, and is divided into short sections and comments. And this method spread, as his commentary on the Bible and on the Gemara is accepted. This was the main reason that Rav Ovadya authored a complete commentary on the Mishna according to Rashi’s method.

The distinction between the Rambam and the Bartenura’s methods is evident in almost any random comparison between the two commentaries. We will examine their commentaries to the first Mishna in *Sukka* to illustrate this matter:

A *sukka* that is higher than 20 *amot* (cubits) is invalid; Rabbi Yehuda validates it. And one that is not even 10 *tefachim* (handbreadths) high, or does not have three walls, or if [the amount of] its sun is greater than [the amount of] its shade, is invalid. An old sukka: Beit Shammai invalidate it, and Beit Hillel validate it. And what is an old sukka? Any [sukka] that he made thirty days prior to the holiday; but if he made it for the purpose of the holiday, even from the beginning of the year, it is valid. (Mishna *Sukka* 1:1)

The following is a table illustrating the comments of the Rambam and the Bartenura on each section of the Mishna:

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| **Commentary of the Bartenura** | **Commentary of the Rambam** |
| **A sukka that is higher than 20 *amot* (cubits) is invalid.**  [This is] because we require [that] a sukka be a temporary structure, as it is written (*Devarim* 16): “You shall make for yourself the holiday of Sukkot for seven days.” The Torah stated: Make a sukka [only] for seven days. And above twenty *amot* [invalidates it, since] a person does not make his structure a temporary structure, but a permanent structure. | **We have a principle** that we require [that] a sukka be a temporary structure, **and therefore it may not be higher than twenty *amah.*** |
| **And Rabbi Yehuda validates it.**  [This is] because he holds that we require the sukka to be a permanent structure. And the halakha is not according to Rabbi Yehuda. | **And Rabbi Yehuda says [that] we require [the sukka to be] a permanent structure,**  and therefore he permits it, and even if it was the substantial height [i.e., twenty *amah*]. |
|  | And the size of its airspace cannot be less than seven *tefachim* long by seven *tefachim* wide. |
| **And one that is not even 10 *tefachim* (handbreadths) high is invalid.**  [This is] because it is not a pleasant structure, and a person does not dwell in an unpleasant structure. |  |
| **And if it does not have three walls.**  As it is written, “In *sukkot,*” “in *sukkot,”* “in *sukkot,*” twice it is written missing [a *vav*], and once full [with a *vav*, denoting the plural form of at least two *sukkot*].[[9]](#footnote-9) One [teaches] about the *sekhakh*, as the meaning of the sukka is *sekhakh*. This leaves three, corresponding [to] the three [required] walls. The *halakha* transmitted to Moses from Sinai comes to reduce [the necessary measurement of] one wall, and establishes it as one *tefach*. Two remain [that must be constructed] according to their requirements, and the third may even be a *tefach*. Therefore, a sukka that has two walls next to each other, he may make a third wall that has [only] a *tefach* and a little, and place it less than three [*tefachim*] near one of the two walls, as any [case] of less than three is considered as attached, and [this wall] is considered as if it is a wall of four *tefachim*, and in this manner, the majority of a wall is complete, and then the sukka has three walls. And one must make a frame of a doorway [*tzurat ha-petach*] for it. And if the two walls are opposite each other, and in between them it is open, he brings an upright board that has [a measurement of] four *tefachim* and a little, and places it less than 3 from one of the two walls, and it is considered as if this upright board has [a measurement of] seven *tefachim*, which is the [minimum] size of a kosher sukka both lengthwise and widthwise, as a sukka must be seven by seven in order to contain his head, the majority of his [body], and his table; six by six for his head and the majority of his [body], and one *tefach* by one *tefach* for his table. | **And general principles have already preceded this *seder***,[[10]](#footnote-10) one of which is that any [distance of] less than three [*tefachim* between two surfaces] is considered joined, and one of them is that the size of a [halakhically significant] space may not be less than four *tefachim*, and they said that **if it does not have three walls,** that there are two complete walls, and the third wall, even if it had a *tefach* and a small amount, he may place it [the third wall] less than three [from] near the wall, so that it all should have the [minimum] size of the space necessary. And this [type of] sukka has three forms. The first is where the three complete walls are adjacent to each other; [this sukka] does not need any addition, and this is its form.[[11]](#footnote-11) And the second form is where it has two walls adjacent to each other; it needs a third wall that has a *tefach* and a little bit, and one should place it less than three [*tefachim*] near the wall, so that the *tefach* together with the open space between it and the wall [should total] four *tefachim*, and this is its form.[[12]](#footnote-12) And this one needs the form of a doorway [*tzurat ha-petach*]. And the third form, which has two walls opposite one another, needs a third wall that has more than four *tefachim*, and he should place it less than three from the wall, so that it is the size of a small sukka, which is seven *tefachim*, and this also needs a form of a doorway, and this is its form.[[13]](#footnote-13) And we needed [a third wall of] four and a little in this final form, because the walls are separated [i.e., opposite] from each other. **And it has already been explained to you in *Eiruvin***that the form of a doorway that they referred to is a beam on either side, and a beam on top, and there we explained that the beam on top does not need to touch either of the side beams. |
| **If its sun is greater than its shade, it is invalid.**  However, if they were equal, where the [amount of] sun equals [the amount of] shade, it is valid. And this is specifically if they are equal below, on the ground of the sukka, as it is known that above in the *sekhakh* its shade is more than its sunlight, as people say, that the size of a *zuz* [a smaller coin] above is like the size of an *istera* [a larger coin] below. | **And they said: If its sun is greater than its shade, it is invalid,** which implies that if its sun and shade were equal, it is valid – this is only what is viewed on the ground. As if we see the amount of sunlight on the ground is equal to the amount where the *sekhakh* shades it where there is no sun, it is valid, because the openings in the *sekhakh* in which the sunlight enters are less [than the area] that is shaded by the *sekkakh* [on the ground]*,* as is explained in the of science “*elmenater*,” whereby when the sun enters through a hole, it will shine on a larger tract of land than [the size of] that hole.[[14]](#footnote-14) And the halakha is not according to Rabbi Yehuda. |
| **Beit Shammai invalidate it.**  [This is] because they require a sukka [constructed] for its own sake, and this was made without specific intention. But [if it was constructed] within thirty days of the holiday, since we inquire about the laws of the holiday for thirty days before the holiday, one who constructs a sukka without specific intention is [presumably] doing so for the purpose of the holiday, but earlier than thirty days, it is generally not [made] for the purpose of the holiday.  **And Beit Hillel validate it.**  As they do not require a sukka [to be made] for the purpose of the holiday. |  |

This example clearly illustrates that while the Bartenura explains the Mishna in a running commentary on each sentence of the Mishna, introducing each comment with the first words of the relevant phrase, the Rambam in contrast explains the Mishna using general principles, and only afterwards he explains the Mishna in light of these principles. For instance, in the beginning of his commentary to this Mishna, the Rambam first presents the principle that a temporary structure is necessary to create a valid sukka, and in light of this, he explains the ruling of the Mishna. The Bartenura in contrast first cites the words of the Mishna and then explains them in light of the principle of a temporary structure.

A similar distinction between the formulations of the two commentaries is evident regarding the requirement for three walls which is mentioned later in this Mishna: The Rambam first formulates the principles, and then explains the ruling of the Mishna, while the Bartenura employs the opposite approach. He begins by explaining the Mishna and within his commentary, he addresses the rules of *lavud* (treating minimal open spaces between two surfaces as adjoined)and the rule that four by four *tefachim* is considered the minimum size for a valid sukka. An additional distinction evident from this comparison is that the Bartenura explains the dispute between Beit Hillel and Beit Shammai at the end of the mishna with regard to an old sukka, while the Rambam ignores it. In contrast, the Rambam cites a principle within his commentary that is not all mentioned by the Mishna, the size of the airspace, while the Bartenura does not cite it, since it is not mentioned explicitly there.

These differences between the two commentaries highlight the distinctly different goals of each in their interpretations of the Mishna: The Rambam saw the Mishna as a means to explain the primary conclusions of the Gemara, and as an introduction and summary for the discussions of the Gemara about the Mishna, which he felt would be better accomplished using his method of explanation. The Bartenura, on the other hand, viewed himself as responsible for explaining the specific mishna in question. Therefore, he focuses mainly on the Mishna at hand, and less on general principles, summaries and expanding on other related topics.

In the next *shiur,* we will examine the methodology of the commentary of the Bartenura, which sources he used in developing his commentary, and whether he is considered merely a commentator, or a halakhic authority as well.

Translated by Rav Eli Ozarowski

1. Yisrael Dov Lerner, *Rabbeinu Ovadya Mi-Bartenura,* Jerusalem, 1988, p. 18. He cites proofs for this there, as well as other opinions. [↑](#footnote-ref-1)
2. Lerner, ibid. He refers to sources that claim that his family name was *Yarei.*  [↑](#footnote-ref-2)
3. Menachem Hartom and Avraham David, *Me-Italya Le-Yerushalayim—Igrotav shel Rav Ovadya Mi-Bartenura Me-Eretz Yisrael,* Ramat Gan, 1997, p. 8. [↑](#footnote-ref-3)
4. See note 3 above. [↑](#footnote-ref-4)
5. According to the Gemara (*Mo’ed Katan* 26a) and *Shulchan Arukh* (O.C. 561:2), there is an obligation to tear one’s garment upon seeing the city of Jerusalem in its destruction. This obligation is separate from tearing one’s garment upon seeing the location of the Temple, as is evident from the of Rav Ovadya’s letter. Some authorities hold, though, that in contemporary times, when Jerusalem is built up and under Israeli control, this obligation may no longer apply (see, e.g., *Igrot Moshe,* O.C. 4:70:11). [↑](#footnote-ref-5)
6. Ibid., p. 34. [↑](#footnote-ref-6)
7. See Mordechai Breuer, *Ohalei Torah – Ha-yeshiva, Tavnitah, Ve-toldoteha,* Jerusalem, 5764, p. 131. [↑](#footnote-ref-7)
8. This of course refers to Rav Ovadya of Bartenura. [↑](#footnote-ref-8)
9. The Rambam here refers to a passage in the Gemara, which means the following: The Hebrew word “*sukkot*” (plural of *sukka*) is spelled *samekh, kof, vav, taf.* In two of the instances referred to here, the *vav* is omitted, which would be pronounced as “*sukkat,*” in the singular form. The Gemara therefore interprets those spellings as each alluding to a singular sukka. Therefore, the total number of references to sukka in these verses is four: The two spellings without a *vav,* and the one spelling with a *vav,* which refers to the plural. The Gemara interprets this number as referring to the number of walls needed for the sukka. It explains that the first reference is needed to teach the basic concept of a sukka (which the Rambam in the next line associates with the *sekhakh*), while the other three indicate that three walls are required. [↑](#footnote-ref-9)
10. The Rambam refers here to the introduction to his commentary on the Mishna of *Seder Mo’ed*, where he introduces a number of halakhic principles relevant to the topics contained therein. [↑](#footnote-ref-10)
11. In the original text, a drawing appears here, which has been omitted from this *shiur.*  [↑](#footnote-ref-11)
12. In the original text, a drawing appears here, which has been omitted from this *shiur.* [↑](#footnote-ref-12)
13. In the original text, a drawing appears here, which has been omitted from this *shiur.* [↑](#footnote-ref-13)
14. This comment of the Rambam was discussed in greater detail previously in this series (*Shiur* 8). [↑](#footnote-ref-14)