



Tosefta

1. Rambam, Introduction to Commentary to the Mishnah

וראה שלא להזכיר משמות המקבלים אלא היותר קרובים אליו, משמעון הצדיק והלאה. ועשה דבריו בה כלומר במשנה דברים קצרים הכוללים ענינים רבים, והיתה ברורה אצלו מרוב חדות שכלו ורוחב בינתו, אבל מי שלמטה ממנו הנה היא קשה עליו, לפי שחכמים הראשונים לא היו מחברים אלא בשביל עצמם. לפיכך ראה אחד מתלמידיו והוא ר' חייא לחבר ספר ללכת בו בעקבות רבו, לבאר בו מה שאינו ברור בדברי הרב, והיא התוספתא. ונתכוון בה לבאר המשנה ולהוסיף ענינים שאמנם אפשר ללמד מן המשנה אבל אחרי יגיעה, וחדשם כדי ללמדינו איך ללמוד ולחדש מן המשנה. וכך עשה גם ר' אושעיא. וגם רב חבר בריתא והיא ספרא וספרי. ורבים זולתם...

And he saw fit not to mention the names of those who received [the tradition], only those closest to his time, from Shimon haTzaddik and onward. And he made his words in it – in the mishnah – brief words, including many subjects. And it was clear to him, with the magnitude of his joyous intellect and broad understanding, but for someone of a lower level it would be hard, because the early sages composed only for themselves. Therefore, one of his students, Rabbi Chiya, saw fit to compose a book walking in his master's footsteps, to explain in it that which was not clear in his master's words. This was the Tosefta. And in it he intended to explain the Mishnah and to add matters which one really could learn from the Mishnah but only with work. He taught these new ideas in order to teach us how to learn and develop new ideas from the Mishnah. And so did Rabbi Oshia as well. And Rav also composed braitot, and this is the Sifra and Sifri. And many others...

2. Mishnah Yoma 1:1

שבעת ימים קודם יום הכפורים מפרישין כהן גדול מביתו ללשכת פרהדרין. ומתקינין לו כהן אחר תחתיו שמא יארע בו פסול.
For seven days before Yom Kippur they separate the kohen gadol from his home, to the *lishkat parhedrin*. And they arrange another kohen in his place, in case anything happens to disqualify him.

3. Tosefta Yoma 1:1

למה מפרישין כהן גדול מביתו ללשכת פרהדרין? פירש ר' יהודה בן פתירה שמא תמצא אשתו ספק נידה ויבא עליה, נמצא טמא שבעת ימים...

Why do they separate the kohen gadol from his home to the *lishkat parhedrin*? Rabbi Yehudah ben Peteirah explained: lest his wife be found to be a possible *niddah* and he is with her, and then he is *tamei* for seven days...

4. Mishnah Kiddushin 1:7

כל מצות הבן על האב אנשים חייבין ונשים פטורות, וכל מצות האב על הבן אחד אנשים ואחד נשים חייבין.
All of the mitzvot for a son that are upon the father, men are obligated, women are exempt. All of the mitzvot for a father that are upon the son, both men and women are obligated.

5. Tosefta Kiddushin 1:11

אי זו היא מצות הבן על האב מאכיל ומשקה מלביש ומכסה מוציא ומרחיץ את פניו ידיו ורגליו...
What are the mitzvot for a father that are upon the son? Give food and water, clothe and cover, take out and bring in, and bathe his face, hands and feet...

6. Prof. Binyamin Katzoff, *A Story in Three Contexts: The Redaction of a Toseftan Pericope*, AJS Review 38:1 (2014)

<https://www.jstor.org/stable/24273561>

Because the Tosefta was not composed as a totally independent work, it presents a complex problem. That it is related to the Mishnah is obvious, but the nature of its relationship is not. Some contemporary scholars, following Rav Sherira Gaon, see the Tosefta as later than and dependent upon the Mishnah, as a commentary is dependent on a base text. Accordingly the role of the Tosefta's redactor was limited, for he did not have an entirely free hand in the organization of his materials—his work subserves the structure, contents, goals, and agenda of the Mishnah. Thus little can be inferred from the placement of different kinds of sources in the Tosefta, except with reference to the related materials in the Mishnah. According to this view, the primary context for redaction criticism of the Tosefta is in fact the Mishnah. By contrast, other scholars, among them recently Hauptman, find elements of independent editorial activity in the Tosefta,

and do not assume that the Tosefta is redactionally dependent on our Mishnah. Thus, the role of the Tosefta's redactor is taken to have been more pronounced. He may have had a freer hand in the organization of his materials, and his work may serve goals distinct from those of the Mishnah. In this case, we may be able to infer a great deal from the placement of the sources in the Tosefta, independently of their relationship to cognate material in the Mishnah.

7. The Braitot Paragraphs 40-41

מ. וכד חזו רבנן דברייתא אחרני דלא הוו מרבי חייא ורבי הושעיה דאית בהו שבשתא... והני ברייתא דתרצי ר' חייא ור' הושעיא עדיפאן מדכלהו ולקטינהו רבנן ותננהו בי רבנן ועליהון אמרינן בגמרא "ת"ר."
ואעפ"כ הוו שכיחי ברייתא אחרני וגרסי רבנן להו כל חד וחד מאי דאגמריה רביה, ותנאי נמי תני יתהון קמיהון כגון אחי תאנא דבי ר' חייא, אשיין תנא דבי ר' אמי (ברכות יד.). ובר קפרא נמי תני משניות אחרות (ירושלמי שלהי הוריות), ובכמה דוכתי אמרינן "כדקאמר לוי במתניתין" (גדה סח, ב), ודר' חייא ודר' הושעיא עדיפן מכלהו.
וכל חד וחד מנהון אית להון ברייתא על כל מסכתא ומסכתא כדאמרינן (ב"ב נב:) תני רב משרביא [גר' דידן הושעיא] בקדושין דבי לוי, והוא נמי הוה שמעיה דר', כבר קפרא וכו' חייא וכו' הושעיא.
ורבנן דבבל דהוו קמי רבינו הוו להו מתנייתא דהא הות בהו תורה מרובה שהיו מרביצין בדוכתא דמתיבתא, דתנן (יבמות קכב.) א"ר עקיבא כשירדתי לנהרדעא לעבר שנה וכו'. ובפומבדיתא דהוה ביה ר' חנינא בן אחי ר' יהושע, ות"ר בסנהדרין (לב:): צדק צדק תרדוף הלך אחר ב"ד יפה ומפרשי' אחר ר' חנינא בן אחי ר' יהושע לגולה...
מא. וביומי דר' ובתריה הנהו מתנייתא דבבלאי הוו מקריין משנת ר' נתן בארץ ישראל (תמורה טז.).
ומר שמואל נמי אמרי' בכמה דוכתי תאנא דבי שמואל (ביצה כט, א). והנך משניות דהוו תני להו ת"ח הראשונים לא מתאמרן בשם ר' עקיבא, דאמרינן בכמה דוכתי "תאנא דבי ר' ישמעאל" ו"תנא דבי ר' אליעזר בן יעקב."
והויין נמי ברייתא לראשונים ראשונים כדאמרי' בעירובין (יט, א) תני רבה בר מרי בדבי ר' יוחנן בן זכאי.
וכלהו הנך ברייתא לא קבעינ' למגרסינהו כולי עלמא כדאקבעון ברייתא דרבי חייא ור' הושעיא, ולא אמרי' מנייהו ת"ר, אלא "תניא" ו"תנא תונא".

40. And when the rabbis saw that the other braitot that were not of Rabbi Chiya and Rabbi Oshia had errors... and those braitot arranged by Rabbi Chiya and Rabbi Oshia were better than all of them, and the rabbis gathered them and taught them in the yeshiva, and regarding them we say in the gemara, "Tanu rabbanan."

And although other braitot were found, and each rabbi learned that which his rebbe taught him, and the tannaim also taught them before them, like Achi tanna of the yeshiva of Rabbi Chiya, and Assiyan tanna of the yeshiva of Rabbi Ami, and Bar Kappara also taught other mishnayot, and in several places we say, "As Levi said in a mishnah," and [but?] that of Rabbi Chiya and Rabbi Oshia was greater than all of them.

And each of them had braitot on every masechta, as we say, "Rav Mesharviya [our ed. Oshia] taught in Kiddushin in the yeshiva of Levi," and he was also the attendant of Rebbe, like Bar Kappara and like Rabbi Chiya and like Rabbi Oshia.

And the rabbis of Bavel who were before Rebbe had mishnayot with great amounts of Torah which they spread in the place of the yeshiva, as we learn, "Rabbi Akiva said: When I descended to Neherdaa to intercalate the year, etc." And Rabbi Chanina nephew of Rabbi Yehoshua was in Pumbedita, and in Sanhedrin the rabbis taught, "'Justice, justice you shall pursue,' pursue a good beit din," and they explain that this is Rabbi Chanina nephew of Rabbi Yehoshua in the diaspora...

41. And in the days of Rebbe and after him, these mishnayot of the Babylonians were called "the Mishnayot of Rabbi Natan" in Israel.

And we also say of Mar Shemuel in several places, "It was taught in the yeshiva of Shemuel." And these mishnayot which were taught by early talmidei chachamim were not said in the name of Rabbi Akiva, for we say in several places, "It was taught in the yeshiva of Rabbi Yishmael" and "It was taught in the yeshiva of Rabbi Eliezer ben Yaakov."

And there were also braitot of the early, early ones, as in Eruvin, "Rabbah bar Mari taught in the yeshiva of Rabbi Yochanan ben Zakkai."

And all of those braitot, they did not establish for everyone to learn as they established the braitot of Rabbi Chiya and Rabbi Oshia, and they did not say of them, "Tanu rabbanan," but "Tanya" and "Tana tuna."