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Bava Kamma Daf 60

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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

Fanning the Fire

The *Mishna* had stated: If he sent a fire in the hands of a competent person, the competent person is liable etc.

Rav Nachman bar Yitzchak says: The one who says that the word for fanning the fire in the *Mishna* is “*libah*” and the one who says it is “*nibah*” are both not mistaken. The one who says “*libah*” is not making a mistake, as this word is found in the verse, “with the “*labas*” -- “fanning” of fire.” The one who says “*nibah*” is not making a mistake, as the verse says, “He created “*niv*” -- “the wind (*made when speaking*)” of his lips.” (60a)

Assistance from the Wind

The *Mishna* had stated: If the wind fanned it, they are all exempt.

The *braisa* states: If he fanned it and the wind fanned it, the *halachah* is as follows: If his fanning was enough to cause the fire, he is liable. If it was not, he is exempt.

The *Gemora* asks: Why should this be? Let it be like winnowing where the wind helps spread (*the kernels from the chaff, and he is still liable for desecrating Shabbos*)!?

Abaye answers: The case is where he fanned it from one side, and the wind fanned it from a different side entirely.

Rava answers: The case is where he was fanning it when a normal wind was present, and an abnormal wind came and fanned it.

Rabbi Zeira says: He was merely blowing on it (as someone would when they are warming up their hands; this does not help a fire at all).

Rav Ashi says: When we say that winnowing with the help of the wind makes one liable, it is only regarding *Shabbos* where the Torah forbade calculated actions (*which can include the help of the wind*). However, here this is indirect help, and such indirect help is exempt from paying for damages. (60a)

Mishna

If someone sent a fire that proceeded to burn wood, stone, or earth, he is liable. This is as the verse states, “When a fire will go out and find thorns, and piles of grain or standing stalks or a field will be consumed, the one who set the fire must pay.” (60a)

Expounding the Verses

Rava asks: Why did the Torah discuss thorns, piles of grain, standing stalks, and fields? These are all necessary. If the Torah would have only stated thorns, one would think that this is because fire is found among thorns and people are not careful that fire should not burn them. However, perhaps one should not be liable for piles of grain, for fire is not usually found by them and it is unusual for people to be negligent. [*We would think that the person who lit the fire can claim he was a victim of forced circumstances.*] This is why the Torah mentioned piles of grain. If the Torah would have only said grain, perhaps we would think that this is because it is a large loss. However, thorns, where the loss is small, perhaps he would not be liable. This is why the Torah



also states thorns. Why does the Torah state standing stalks? This is to teach us that just as standing stalks are in the open, one is only liable for things that were clearly seen (*but not something that is hidden*).

The *Gemora* asks: According to Rabbi Yehudah who says that one is also liable for hidden things burned by fire, why does the Torah mention standing stalks?

The *Gemora* answers: This includes anything standing (*such as animals or plants*).

The *Gemora* asks: How do the *Chachamim* know that one is liable for such things?

The *Gemora* answers: They derive it from the verse, "Or the standing stalks."

The *Gemora* asks: What does Rabbi Yehudah do with this verse?

The *Gemora* answers: He requires it to separate (*to teach us that he is liable even if the fire burns only one of the items listed*).

The *Gemora* asks: How do the *Chachamim* know that there is separation (*between the categories*)?

The *Gemora* answers: They derive this from "Or the field."

The *Gemora* asks: Why, according to Rabbi Yehudah, does the verse say, "Or the field?"

The *Gemora* answers: Once the verse said, "Or the standing stalks," it also said "Or the field."

The *Gemora* asks: Why was it necessary to discuss fields?

The *Gemora* answers: It includes the scorching of plowed fields and the singing of stones.

The *Gemora* asks: Why doesn't the Torah just say "field," and leave out the other categories?

The *Gemora* answers: They are all required. If it would only say "field" and nothing else, one might think the only liability is for things in a field, not for something else (*the field itself*). This is why the Torah wrote about the other things as well. (60a)

Punishments

Rabbi Shmuel bar Nachmaini says in the name of Rabbi Yonasan: Punishment only comes upon the world when there are evildoers in the world, and it starts with the righteous. This is as the verse states, "When a fire will go out and find thorns." When does fire go out? It goes out when it finds thorns (*meaning evildoers*). It starts with the righteous, as the verse states, "And the piles of grain are consumed." It does not say "the fire consumes," but rather, it says, "And the piles of grain are consumed." This implies that they are already consumed (*due to the actions of the wicked that brought upon them this decree*).

Rav Yosef taught: What does the verse mean when it says, "And you should not go out, a man from the doorway of his house, until the morning?" It teaches that once the destroyer is given permission to destroy, it does not differentiate between the righteous and evil. Moreover, it starts with the righteous, as the verse says, "And I have cut off from you the righteous and evil (*it says the righteous first*)."

Rav Yosef cried: Are the righteous so insignificant that they are punished first?

Abaye said: This is actually a favor for them, as the verse says, "Because before the bad the righteous are gathered in (*so that they should not have to witness the bad*)."

 (60a)

Plagues



Rav Yehudah says in the name of Rav: A person should always enter an inn when it is good (*day*) and leave when it is good (*day*). This is as the verse states, "And a man should not leave from his house until morning."

The *braisa* states: If there is a plague in the city, stay at home. This is as the verse states, "And a man should not leave from his house until morning." Additionally, the verse states, "Go, My people, go into your room, and close the door behind you." Additionally, the verse states, "Outside the sword cuts down, and from inside, there will be fear." Why are the additional verses needed?

The *Gemora* asks: Why do we need all these verses?

The *Gemora* answers: If one will say that during the day one does not have to stay inside when there is a plague, the second verse implies that this also applies during the day. If one will say that the second verse only applies when there is no fear inside, but when there is fear, it is better to go out and sit with a group of people for companionship, the third verse teaches that even though there is fear inside, do not go outside, for the sword will cut people down.

When there would be a plague, Rava would seal up his windows. This is as the verse states, "For death has entered through our windows."

The *braisa* states: If there is famine in the city, scatter your feet (*i.e. leave*). This is as the verse states, "And there was a famine in the land, and Avraham went down to live there." Additionally, the verse states, "If we say that we should come to the city, and the famine is there and we will die there."

The *Gemora* asks: Why is the second verse needed?

The *Gemora* answers: If one will say that a person should only go when there is no life-threatening danger in one's destination, but if the destination is dangerous, he should not go, the (*continuation of the second*) verse states, "Let us

go and throw ourselves to the camp of Aram; if they will allow us to live, we will live." [Thus, we see that when there is a famine in one's city, it is better to go to a different land, even if there is a risk to his life in the second city.]

The *braisa* states: If there is a plague in the city, one should not walk in the middle of the road, as the Angel of Death walks there, and once the Angel of Death is given permission, he goes openly (*in the middle of the road*). If there is peace in a city, one should not walk on the side of the road, as being that the Angel of Death does not have authority, this is where he hides.

The *braisa* states: If there is a plague in the city, one should not enter the synagogue alone, as the Angel of Death leaves his tools there. This is only if children do not learn there - and only if there are not ten people praying there.

The *braisa* states: If dogs are crying, the Angel of Death is coming to town. If dogs are playing, Eliyahu the prophet is coming to town. This is only if there are no female dogs present (*which would also be a reason why they would be playful*).

Rav Ami and Rav Assi sat before Rabbi Yitzchak Nafcha. One asked him to teach a *halacha* topic, and the other asked him to teach an Aggadic topic. He started with Aggadah, but the other wasn't happy, and he started teaching a *halachah*, but the other wasn't happy. He said: I will tell you a parable for this situation. It is like a person who had two wives, one young and one old. The young wife takes out his white hairs and the old wife takes out his black hairs, causing him to be totally bald!

He continued: Let me tell you something that you will both like. The verse states, "When a fire will go out and it will find thorns." The implication is that it goes out by itself. However, the verse continues, "The one who lit the fire will surely pay." [The end of the verse seems to indicate that there was someone who lit the fire in his fellow's field!?] This can be answered homiletically: Hashem says: I must pay for the fire

that I lit. I lit a fire in Zion, as the verse says, "And He lit a fire in Zion and it consumed its foundations." And I will build it in the future using fire, as the verse says, "And I will be for it a wall of fire around it, and I will be honored within it." The *halachic* aspect of this is that the Torah started out discussing damages caused by his property and ended with damage done by him himself. This teaches us that one is liable for a fire because it is regarded like his arrow. (60a – 60b)

David and the Warriors

The verse states: *And David had a desire, and he said, "Who will give me water to drink from the well of Beis Lechem, that is in the gateway?" And three warriors broke into the Philistine camp and drew water from the well of Beis Lechem that was in the gateway.* ["Water from the well" is referring to asking a question of the Sanhedrin.]

The *Gemora* asks: What *halachic* question did David need to ask?

Rava answers in the name of Rav Nachman: He wanted to know the law regarding paying for hidden things that were consumed by fire. Do we hold like Rabbi Yehudah (*one is liable*) or like the *Chachamim*? They answered what they answered. [*Rabbi Yehudah and the Chachamim disagree as to how they ruled.*]

Rav Huna says: There were piles of Jewish owned barley that the Philistines hid in. He therefore asked (*Sanhedrin*): Can one save himself by destroying his friend's money (*of course, it is permitted; the question is only if he would be obligated to pay for the damages*)? They answered him: This is forbidden (*he must pay for the damages*), but you are a king, and a king can break through fences to form a path for himself and no one can stop him.

The *Chachamim*, and some say it was Rabbah bar Mari, say: There were piles of Jewish owned barley and piles of Philistine lentils. He asked: Can we take the barley to give it

to our animals with intent that we will pay with the Philistine lentils? They answered: The verse states: *The evil one will answer with wounding, he will repay his theft.* Even if someone pays back, he is considered evil. However, you are a king, and a king can break through fences to form a path for himself and no one can stop him.

The *Gemora* asks: It is understandable according to the opinion that he wanted to exchange (*the lentils for barley*), as the verse states: *And the portion of the field was filled with lentils.* Another verse states: *And the portion of the field was filled with barley.* However, according to the opinion that he wanted to burn the barley, what are these two verses referring to (*why does one state barley and one lentils*)?

The *Gemora* answers: There were also piles of lentils owned by Jews, in which the Philistines were hiding.

The *Gemora* asks: It is understandable according to the opinion that he wanted to burn the piles, as the verse states: *And he stood in the portion (of the field) and saved it.* [*The warriors, with the ruling of the Sanhedrin, saved the piles from being burned.*] However, according to the opinion that he wanted to switch, what does it mean that he saved it?

The *Gemora* answers: He did not allow the switch to occur.

The *Gemora* asks: It is understandable according to the last two opinions (*that they wanted to burn the piles or that they wanted to exchange the produce*), for that is why there are two verses (*one stating that there was barley and one stating that there was lentils*). However, according to the opinion that he was inquiring regarding the *halachah* of a fire burning hidden things, what is the point of the verses?

The *Gemora* answers: That opinion holds that David inquired about the fire burning hidden things and one of the other two questions (*the burning of the piles in order to save themselves or the exchanging someone's produce for another*).

The *Gemora* asks: Now according to the other two opinions, we understand why it is written: *But David refused to drink*, for he said, “Since there is a prohibition (*for commoners*), I do not want it.” But according to the view that his inquiry concerned hidden things in the case of fire, was it not a *halachic* teaching which was sent to him? Why would he refuse it?

The *Gemora* answers: The meaning of the verse is that he did not quote this teaching in the names of the warriors, for he said: A tradition has been transmitted to me from the *Beis Din* of Shmuel HaRamasi, that no *halachic* matter may be quoted in the name of one who submits himself to death for words of the Torah.

It is written: *And he poured it out to Hashem*. We understand this according to the other two opinions, as he acted for the sake of Heaven. But according to the view that his inquiry concerned hidden things in the case of fire, what does the verse mean?

The *Gemora* answers: It means that he repeated this *halachic* statement in the name of a general tradition. (60b – 61a)

INSIGHTS TO THE DAF

Entering when it is Good

The *Gemora* states that one who is traveling should always enter into city when it is good, i.e. when it is still daylight, and one should leave the city when it is good, i.e. after it has become light. Tosfos notes that our *Gemora* implies that the reason that one should enter a city while it is still light outside is because of a concern of demons that can harm a person. The *Gemora* there derives this from the verse that is said regarding the night of the slaying of the first born Egyptians, when Hashem told Moshe to instruct the Jewish people not to leave their houses until morning. The verse refers to the concern of the Jews being harmed by demons,

as Hashem told Moshe that once the forces of destruction are unleashed, they do not distinguish between the righteous and the wicked. According to this approach, one must also only leave his own city once it is daylight. Tosfos writes further that the verse that is said regarding the sons of Yaakov, where it is said: *the morning ohr and the men were sent off*, refers to one leaving a city where he does not reside, and even if there is no concern for demons as in the case of the brothers who were eleven strong, there was still concern of stumbling on a rock or crevice in the ground. The verse that is said regarding the slaying of the first born Egyptians refers to one who departs the city where he resides and there is a concern of demons harming him.

DAILY MASHAL

How do Dogs Know Whether to Laugh or to Cry?

Our daf says that when the Angel of Death comes to the city the dogs cry, but when Eliyahu HaNavi comes, they laugh. The obvious question is, “How do the dogs know who has arrived?” And if they do know, why does that make them burst into tears or laughter?

HaRav Yosef Chaim zt”l (on our *sugya*) provides a very simple explanation. It is well known that Eliyahu HaNavi comes to participate at every *bris*. When a *bris* takes place the guests take part in a lavish meal, and the dogs take part later when the scraps are disposed of.

On the other hand, when the Angel of Death brings plagues and disease, people remain at home, rarely holding festive meals, so the garbage bins remain empty as well, depriving the dogs of a good meal.

Thus the dogs’ lean faces or well-fed faces serve as an indicator of the general state of affairs in the city.