

5 Shevat 5777  
Feb. 1, 2017



Bava Basra Daf 10

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Daf Notes is currently being dedicated to the neshamot of

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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

**Why doesn't Hashem  
Sustain the Poor?**

The *braisa* states: Rabbi Meir used to say that if the litigant asks you that if Hashem loves the poor so much, why doesn't He support them, you should answer that it is in order to save us (*who give them charity*) from the judgment of Gehinnom.

This question was indeed asked by the evil Turnusrufus to Rabbi Akiva, and Rabbi Akiva gave this answer. Turnusrufus retorted: On the contrary, this should make the people who give them charity liable to be punished in Gehinnom! I will explain this to you in a parable. What is this like? It is like a king who was angry at his servant, threw him in jail, and decreed that nobody should feed him, nor give him anything to drink. A person went anyway and gave him food and drink. When the kings will hear about this, won't he be angry at him? You, therefore, who are servants of Hashem, as the verse states, "*For unto Me the children of Israel are servants,*" should not give these people charity!

Rabbi Akiva answered: I will explain this to you in a parable. What is this like? It is like a king who was angry at his son, threw him in jail, and decreed that nobody should feed him, nor give him anything to drink. A person went anyway and gave him food and drink. When the king will hear about this, won't he send him a present? We are called sons, as the verse states, "*You are sons to Hashem.*"

Turnusrufus replied: You are called both sons and servants. When you are doing the will of Hashem you are called sons, and when you are not doing the will of Hashem you are called servants. Now you are not doing the will of Hashem!

[Therefore, people who are poor are more akin to my parable regarding a servant than your parable regarding a son.]

Rabbi Akiva replied: The verse states, "*Shouldn't you break bread for the hungry, and bring the wailing poor to your house?*" When is the verse stating that you should bring home those who are seriously poor? Nowadays (*the prophet (Yeshayahu 58) is discussing a time when Bnei Yisroel were not doing the bidding of Hashem*). Even so the prophet states, "*Shouldn't you break bread for the hungry?*" (10a)

**Apportioned from Rosh Hashanah**

Rabbi Yehudah the son of Rabbi Shalom taught: Just as a person's income is decided on Rosh Hashanah, so too his losses are decided on Rosh Hashanah. If he has been declared worthy, his losses are included in the verse, "*Shouldn't you break bread for the hungry?*" [In other words, if he is worthy his losses are the amount of money he will give to charity.] If he is not worthy, his losses will be fulfilled by the verse, "*and bring the wailing poor to your house.*" [He means that the people of your household will be seriously poor.]

This is shown by an incident that happened to the nephews of Rabbi Yochanan ben Zakai. Rabbi Yochanan ben Zakai had a dream that they were supposed to lose seven hundred *dinar*. [Rashi says that he dreamt on the night after Yom Kippur that they were supposed to lose this amount of money that year.] When they made their money, Rabbi Yochanan would ensure that they gave charity from it, until at the end of the year they had given almost all of the seven hundred *dinar* to charity. They were only lacking (*giving*) seventeen *dinar*. On the eve of Yom Kippur (*the following year*), the



people from the Caesar's household came and seized seventeen *dinar* from them. Rabbi Yochanan told them: Don't worry, they will only seize these seventeen *dinar* that you had. They asked him: How do you know? He replied: I saw this in a dream. They asked: Why didn't you tell us about this dream? He replied: I wanted you to do the *mitzvah* for the sake of serving Hashem (*and not to just avoid a loss you would encounter anyway*). (10a)

### **Giving Charity**

Rav Pappa was going down steps. His leg slipped and he was going to fall. He said: Now this is how one who is hated by you should be judged, like those who transgress Shabbos or serve idols! [*He meant that falling is a form of death by stoning.*]

Chiya bar Rav from Difti said to Rav Pappa: Perhaps a poor person came to you and you did not support him? This is as the *braisa* states: Rabbi Yehoshua ben Korchah says that someone who averts his eye from giving charity, it is as if he is serving idols. The verse states (*regarding charity*), "*Beware lest something be in your heart uprooting the yoke (of serving Hashem).*" The verse also states (*regarding serving idols*), "*People who are uprooting the yoke went out.*" Just like the latter verse is referring to idol worship, so too not giving charity (*where the verse uses similar words*) is akin to idol worship.

The *braisa* states: Rabbi Elozar the son of Rabbi Yosi states that all charity and acts of kindness that the children of Israel do in this world create great peace and defending angels between Israel and Hashem. This is as the verse states, "*Do not come to the house of mourning, do not go to eulogize or bemoan them, for I have gathered my peace from this nation, the kindness and mercy.*" "Kindness" refers to acts of kindness, and "mercy" refers to charity.

The *braisa* states: Rabbi Yehudah says that charity is great, as it causes the redemption to be sooner. This is as the verse states, "*So says Hashem, guard justice and give charity, for*

*My redemption will come soon, and My charity to be revealed.*"

He used to say: Ten strong things were created in the world. A mountain is hard, but iron can cleave it. Iron is hard, but fire melts it. Fire is hard (*a strong force*), but water extinguishes it. Water is hard, but the clouds soak it up. The clouds are hard, but the wind scatters them. The wind is hard, but the body bears the wind. The body is strong, but fear breaks it. Fear is strong, but wine wears it away. Wine is strong, but sleep wears it away. Death is stronger than all of these, and charity saves from death. This is as the verse states, "*And charity saves from death.*"

Rabbi Dustai the son of Rabbi Yannai taught: Come and see that Hashem acts unlike people. If a person brings a large present to a king, the king may or may not accept it. Even if he does accept it, it is unclear whether he will be allowed to see the king. Hashem is not like this. If a person gives a *perutah* (*small copper coin*) to a poor person, he merits receiving the Shechinah. This is as the verse states, "*I, with charity, shall behold Your face, through awakening I will be seated by Your image.*"

Rabbi Elozar would give a *perutah* to a poor person and then pray, as the verse states, "*I, with charity, shall behold Your face.*"

What does the verse mean when it says, "*Through awakening I will be seated by Your image?*" Rav Nachman bar Yitzchak says: This refers to Torah scholars who wipe sleep away from their eyes in this world. Hashem satisfies them with the radiance of the Shechinah in the World to Come.

Rabbi Yochanan says: What does the verse mean when it says, "*Hashem is a lender, He favors the poor?*" If the verse were not stated, it could not be said. It is as if it were saying that a borrower is a servant to a lender. [*It is as if the verse states that a lender is lending to Hashem when he lends to a poor person, and that it is as if Hashem becomes his servant.*]

Rabbi Chiya bar Abba says in the name of Rabbi Yochanan (text of Mesores Hashas): The verse states, “Money will not help on a day of anger, and charity will save from death.” The verse also states, “The treasures of an evildoer will not help, and charity will save from death.” Why does the verse have to state this twice? One saving is from a strange (i.e. violent) death, and one is from the judgment of Gehinnom.

Which verse is referring to be saved from the judgment of Gehinnom? The one that discusses anger, as the verse states, “A day of anger will be that day.” Which type of charity saves from a strange death? This is when one gives and he does not know to whom he is giving, and when one takes and he does not know who is giving the charity.

A case where he gives and he does not know to whom he is giving excludes the case of Mar Ukva (who knew to whom he was giving, for he had a poor man in his neighborhood into whose door-socket he used to throw four zuz every day, in a way that the pauper did not know who was his benefactor). A case where he takes and he does not know from whom he is taking excludes the case of Rabbi Abba (who used to sling a sack of money behind his back allowing the poor people to take from it; they would know who was giving, but he would not know who was taking). What should one do? He should put the money in the charity box (so that he does know to whom he is giving, and the poor person does not know who gave the money).

The Gemora asks a question from a braisa. The braisa states: What should a person do in order to have male children? Rabbi Eliezer says: He should give a lot of charity to the poor. Rabbi Yehoshua says: He should appease his wife (put her in a good mood) before they have relations. Rabbi Eliezer ben Yaakov says: A person should not give money to a charity fund unless there is someone appointed to oversee it like Rabbi Chananya ben Tradyon. [This implies that it is usually not a good idea to give to a charity fund, as most people overseeing it are not as righteous as Rabbi Chananya!]

The Gemora answers: The braisa meant someone as honest as Rabbi Chananya (which is possible to find), not someone as righteous (which is almost impossible to find). [This explanation of the Gemora is based on Tosfos.]

Rabbi Avahu says: Moshe asked Hashem, “With what will the strength of Israel be raised?” Hashem answered: With “ki sisa” -- “when you will count” (referring to the charity money that Bnei Yisroel gave when they were counted, as stated in Parshas Ki Sisa).

Additionally, Rabbi Avahu states: They asked Shlomo, the son of David, how strong is the merit of charity? He answered: See what My father, David, said in the verse, “He scattered money and gave it to charity, his righteousness stands forever, his strength will be raised with honor.” [He will merit eternal honor.]

Rabbi Abba says: The power of charity can be understood from the following verse, “He dwells on high, a fortress of rocks is his strength, his bread is given and his water is sure.” Why is it that he dwells on high and a fortress of rocks is his fortress? It is because he gave his bread and water continuously.

Additionally, Rabbi Avahu stated: Who is a person who merits being in the World to Come? He replied: Anyone about whom it is written, “In front of his elders he shows respect.” This is like the incident where Yosef, the son of Rabbi Yehoshua, fell ill. He cried out (apparently from a vision or dream). Rabbi Yehoshua asked: What have you envisioned? He said: I have seen an upside down world, where those who are rich here have a low status there, and those who are low here have a high status there. Rabbi Yehoshua said: You have seen a clear world. He then asked: What about us (those who learn Torah)? His son answered: We are also important there.

His son continued: I heard that they were saying, “Praised is one who comes here and his learning is in his hand.” I also



heard them say, "Those killed by the government, no creature can stand in their company."

The *Gemora* asks: Who was he referring to? If it was Rabbi Akiva and his friends (*the famous ten great Torah scholars who were killed by the Romans*), is this merely because they were killed by the government? It is obvious that even without that merit they would have been so holy that nobody could stand in their company in the next world!?

Rather, the *Gemora* answers: It is referring to those killed in Lud. [*Rashi explains this refers to two brothers who gave themselves up as having killed the daughter of a gentile king who was going to kill the entire Jewish community because he thought they were part of his daughter's killing. These people took the blame off the community, saying falsely that they did it, in order that only they should be killed.*] (10a – 10b)

### ***Charity from Idolaters***

The *braisa* states: Rabbi Yochanan ben Zakai said to his students, "My sons, what does the verse mean when it says, "Charity will raise a nation, and kindness of nations is a sin"? Rabbi Eliezer answered: "Charity will raise a nation" refers to the Children of Israel. This is as the verse states, "And who is like Your nation, Israel, a unique nation in the land." "Kindness to the nations is a sin" refers to all the charity and kindness and charity that the nations of the world do, which is a sin for them. This is because the entire purpose of their actions is to become great. This is as the verse states, "In order that they should bring sacrifices to the G-d of the Heavens, and they should pray for the life of the king and his sons."

The *Gemora* asks: Is someone who gives charity with these ulterior motives not giving true charity? Doesn't the *braisa* state: If someone gives charity in order that his son should live or in order that he should receive a portion in the world to come, he is considered a completely righteous person!?

The *Gemora* answers: There is a difference between a gentile and a Jew. [*The Jew gives and his happy he did so whether or not his son lives. The gentile is only happy if his son lives, and regrets giving if he dies.*]

Rabbi Yehoshua answered and said: "Charity will raise a nation" refers to the Children of Israel. This is as the verse states, "And who is like Your nation, Israel, a unique nation in the land." "Kindness to the nations is a sin" refers to all the charity and kindness and charity that the nations of the world do, which is a sin for them. This is because the entire purpose of their actions is so that their kingdom should continue. This is as the verse states, "To a true king, you will appreciate my advice. Your sins you should unload by giving charity, and your sins you should take away by giving charity to the poor, then it is possible that there will be for you lasting peace."

Rabban Gamliel answered and said: "Charity will raise a nation" refers to the Children of Israel. This is as the verse states, "And who is like Your nation, Israel, a unique nation in the land." "Kindness to the nations is a sin" refers to all the charity and kindness and charity that the nations of the world do, which is a sin for them. This is because the entire purpose of their actions is so that they can be haughty because of these actions. Whoever is haughty falls into Gehinnom, as the verse states, "An evil haughty person is called a scoffer, he acts with "evras" on purpose." "Evrach" refers to Gehinnom, as the verse states, "That day will be an ("evras") angry day."

Rabban Gamliel said: We still need the teaching of Modai. Rabbi Eliezer ha'Modai said: "Charity will raise a nation" refers to the Children of Israel. This is as the verse states, "And who is like Your nation, Israel, a unique nation in the land." "Kindness to the nations is a sin" refers to all the charity and kindness and charity that the nations of the world do, which is a sin for them. This is because the entire purpose of their actions is to curse us. This is as the verse states, "And Hashem came and did as He said, for you have



sinned against Hashem and not listened to His voice, and this thing (i.e. punishment) came to you.”

Rabbi Nechunya ben Hakanah answered and said: “Charity will raise a nation and kindness” refers to the Children of Israel. “And to the nations is a sin” refers to the other nations.

Rabbi Yochanan ben Zakai said to his students: Rabbi Nechunya’s words appear more correct than my words and your words, as it gives charity and kindness to Israel, and to the nations it ascribes sin.

The *Gemora* asks: This implies that Rabbi Yochanan said a similar thing (*that we should not ascribe charity to the nations, or else they would not be punished*). What similar thing did he say?

The *braisa* states: Rabbi Yochanan ben Zakai said to his students, “Just as a sin offering atones for the Children of Israel, so does charity atone for the nations of the world.”

Ifra Hurmiz, the mother of the Queen of Sheba, sent four hundred *dinar* to Rabbi Ami, but he did not accept them. He sent them to Rava, who accepted it for the sake of peaceful relations with the king (*government*).

The *Gemora* explains that while Rav Ami agreed with Rava to accept the gift, he held that Rava should have distributed the funds to poor idolaters (*in order that Ifra Hurmiz would not receive merit for giving charity to Jews*).

The *Gemora* notes that Rava, in fact, did give the money to poor idolaters, but they did not complete the story before Rav Ami (*so he was not informed of that*). (10b -11a)

#### INSIGHTS TO THE DAF

#### **Accepting Charity from an Idolater**

The *Gemora* states: An act of kindness or charity performed by an idolater is regarded as a sin. This is because they are

only performing these good deeds to live longer, or that their reign should continue, or in order to glorify themselves, or to rebuke the Jews.

The *Gemora* in Sotah (47a) states: When there increased the number of Jews who accepted charity from idolaters, the idolaters were on top and Israel was on bottom.

Our *Gemora* says that when idolaters give *tzedakah* it serves as an atonement for them. Because it serves as an atonement, Rav Ami refused to accept *tzedakah* from Ifra Hurmiz. Even Rava only accepted it for the sake of peaceful relationship with the government, but otherwise, he would not have accepted it. This is based upon a verse which teaches us that the idolaters will become weak and broken once their charitable deeds have dried up, and therefore, we don’t give them opportunities for more merits. However, the *Gemora* says that if we were to use the funds to support non-Jewish causes (*which Rashi explains that we support anyway for the sake of peaceful relationship with the government*), it would not give them any special merit. It is only if we use the funds to support Jews that it is considered a merit for them.

Tosfos (8a d.h. yasiv) points out that the *Gemora* in Eruchin (6b) implies that we would accept donations to synagogues that come from idolaters. Why? Tosfos explains that donations to synagogues are considered like *korbanos* and we do accept *korbanos* from idolaters.

The *Gemora* (Nazir 62a) cites a Scriptural source to teach us that an idolater can vow vowed-offerings and freewill-offerings just like Jews.

The Haga’os Ashri (*here*) brings the following question in the name of the Maharich: Why are we not allowed to accept charity from an idolater, but we are permitted to accept his *korbanos*?

He answers in the name of his Rebbe: A voluntary *korban* is not brought to serve as atonement, and therefore, we are not concerned if they offer a sacrifice, for those do not bring



about forgiveness and they will not serve as a protection for them. However, one who gives charity receives atonement for his sins, and merits protection for his good deed. It is not in our best interests to assist them in this matter.

What does the Haga'os Ashri mean that vowed-offerings and freewill-offerings are not meant for the purpose of atonement? What is accomplished for the idolaters aside from atonement? Furthermore, the *Gemora* says in Sukkah (55b) that the idolaters destroyed the Holy Temple, not realizing what they will be losing. When we had the Temple, the Altar served as an atonement for them, but now they have nothing to atone for them. The *Gemora* in Sukkah clearly implies that the purpose for their *korbanos* were to be an atonement, which contradicts the Haga'os Ashri?

The distinction of the Haga'os Ashri is found in the Shach and Taz (Y.D. 254:4) to explain the Rama who says that we do accept donations to synagogues from idolaters, but don't accept *tzedakah* from them (*unless the money was air-marked for tzedakah and must be accepted for the sake of peaceful relationship with the government*).

Reb Avi Lebowitz suggests the following: Perhaps the *Gemora* in Sukkah is not referring to the vowed-offerings and freewill-offerings that the idolaters bring, rather the Holy Temple, in general, served as an atonement for the entire world, including the idolaters. But the vowed-offerings and freewill-offerings, and donations to synagogues that we accept from idolaters is because it allows them to have a share in our prayers, but it will not serve as an atonement to prevent them from being destroyed for sins that they have committed. *Tzedakah* to the poor which would serve as an atonement for sins that they have committed, we refuse to accept from them unless we have no choice (*such as for the sake of peaceful relationship with the government*).

The Chochmas Adam (146:3) explains this idea a bit further: *Tzedakah* to the poor is tantamount to a *korban chatas* which we do not accept from idolaters because we don't

give them opportunity for atonement, but freewill-offerings, we do accept from them, so we can also accept gifts to synagogues.

It would seem that this prohibition, which forbids accepting *tzedakah* from them, only applies to *tzedakah* to the poor, but donations to Yeshivos and donations for kindness activities which do not go to the poor, would be like vowed-offerings and freewill-offerings that we can accept from them. But perhaps when it comes to the studying of Torah, where the donation buys them a share in the Torah, we should not provide them with that opportunity either.

## DAILY MASHAL

### The Best Insurance

"A hard mountain is cut by iron. Hard iron is smelted by Fire. Stubborn fire is extinguished by water. Heavy water is born by clouds. Heavy clouds are scattered by wind." The Gemara continues to number elements of nature in the order of their innate resistance, ending with death, the hardest of all, and concludes that giving charity saves us therefrom. If, though, the Gemara wants to deliver this **moral** message, why does it bother to list natural elements whose characteristics are well known and how does the mitzvah of charity sum them all up? *Mesilos La'Avodas Elul* (2:4) explains that the Gemara wants to stress the supreme influence of this mitzvah. Just, then, as iron cuts mountains, water puts out fire and so on, Hashem instilled a natural interaction in the world that charity wards off death!