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Bava Basra Daf 9

Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

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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

Penalizing the Violators of Community Edicts

There were two butchers who made an agreement with each other that if either slaughtered on the other’s day, the animal’s hide should be torn up (*in a way which would prevent him from profiting*). One of them actually slaughtered on the other’s day, and the other went and tore up the hide. Those who did so were summoned before Rava, and he obligated them to make restitution (*for the deal was not binding*).

Rav Yeimar bar Shelemya called Rava’s attention to the *braisa* which ruled that the community officials may inflict penalties for breach of their regulations!?

Rava did not answer him. Rav Pappa explained: Rava was quite right not to answer him; this regulation applies only where there is no distinguished person in the town, but where there is a distinguished person (*such as Rava*), they do not have the power to make such regulations (*without that person participating*). (9a)

Charity Collectors

The *Gemora* cites a *braisa*: The charity collectors are not required to give an account of the monies entrusted to them for charity. And the treasurers of the Temple are not required to reckon the funds given to them for the Temple purposes. And although there is no actual proof of this in the Scriptures, but there is a hint of it in the following verse: *And they would not reckon with the men into whose*

hand they delivered the money, to give to those that did the work, for they dealt faithfully.

Rabbi Elozar said: Even if a man has in his house a treasurer on whom he can rely, he should tie up and count out all money that he hands to him, as it is written: *They bound it in in bags and counted the money.* (9a)

Investigating the Poor

Rav Huna said: Applicants for food are investigated (*to see if they are truly needy*), but not applicants for clothing.

This rule can be based, either upon Scripture, or alternatively, on logic. The logic is as follows: The one who is inadequately dressed is debasing himself, but not the other (*who is merely claiming that he is hungry*). Alternatively, it is written: *Will you not break your bread for the hungry?* The word ‘*paros*’ is written with a ‘*sin*,’ as much as to say, “Clarify and then give him food,” whereas later it is written: *When you see the naked, you shall cover him*; that is to say, immediately (*without investigating*).

Rav Yehudah, however, said that applicants for clothing are to be examined, but not applicants for food. This rule can be based, either upon logic, or alternatively, upon Scripture. The logic is as follows: The one without food is actually suffering (*and we should not prolong his suffering*), but not the other. Alternatively, it is written: *Will you not break your bread for the hungry?* Bread should be given to them immediately, whereas later it is written: *When you see the naked, you shall cover him*, that



is to say, "After you have seen that he deserves, clothe him."

The *Gemora* cites a *braisa* which is in agreement with Rav Yehudah: If a man says, "Clothe me," he is examined, but if he says, "Feed me," he is not examined. (9a)

Charity

A poor man who is traveling receives from the community that he is passing through enough food that he can eat two meals. He must receive an amount of bread that can be purchased with a *pundyon*, when a *sela* (a coin that is the equivalent of twenty-four silver *ma'os* - a *ma'ah* equals two *pundyons* - there are forty-eight *pundyons* in a *sela*) can be used to purchase four *se'ah's* of wheat. At this price, one can purchase with a *pundyon* a loaf of bread whose volume is a quarter of a *kav* (the equivalent to six eggs). This loaf of bread is sufficient to provide one with two daily meals. If the poor person remains in the city overnight, he is provided with a bed and a pillow. If he remains in the city for *Shabbos*, he receives enough food for three meals.

The *Gemora* cites a *braisa*: If he is a beggar who goes from door to door, we are not obligated to give him from the public charity.

A certain man who used to beg from door to door came to Rav Pappa for money, but he refused him. Rav Sama the son of Rav Yeiva asked him: If you do not give anything to him, no one else will either; is he then to die of hunger? Rav Pappa replied: Has it not been taught that if he is a beggar who goes from door to door, we are not obligated to give him from the public charity? Rav Sama replied: We do not help him with a large donation, but we do give him a small one.

Rav Assi said: A man should never neglect to give at least a third of a *shekel* for charity each year. The *Gemora* cites a Scriptural source for this.

Rav Assi further said: Charity is equivalent to all the other *mitzvos* combined; as it is written (in a verse regarding charity): *And we took upon ourselves commandments*. It is not written, 'commandment' (in the singular form), but 'commandments.'

[A sign to remember the following three statements; Greater, Temple and Moshe.] Rabbi Elozar said: He who causes others to do charitable deeds is greater than the one who does the deed himself. The *Gemora* cites a Scriptural source for this.

If a man deserves, then he shall give money (that Heaven decreed he should lose) to hungry people, but if he does not deserve, the government will confiscate his money.

Rava said to the people of Mechuza: I beg of you, perform acts of charity with one another, so that you may be on good terms with the government.

Rabbi Elozar further said: When the Holy Temple stood, a man used to bring his *shekel* and so receive atonement (through the sacrifices). Now that the Holy Temple no longer stands, if they perform acts of charity, all will be well, but if not, the idolaters will come and take money from them forcibly. And even so, it will be reckoned to them as if they had given charity (for the poor people cannot afford to pay the taxes), as it is written: *I will make your taskmasters charity*.

Rava said: A child (Rav Sheishes) that debased the ways of his mother (as described by the *Gemora* below) once told me in the name of Rabbi Elozar: What is the meaning of the verse: *And he donned charity as a coat of mail*? It tells us that just as in a coat of mail, every small scale joins with the others to form one piece of armor, so every little



perutah given to charity combines with the rest to form a large sum.

Rabbi Chanina said: The same lesson may be learned from here: *And all our acts of charity are as a repulsive garment.* Just as in a garment, every thread unites with the rest to form a whole garment, so every *perutah* given to charity combines with the rest to form a large sum.

The *Gemora* asks: Why was he called “a child that debased the ways of his mother”?

The *Gemora* explains: Rav Achadvoi bar Ami inquired of Rav Sheishes: How do we know that a *metzora* (a person with a certain skin disease which makes him *tamei*) while he is counting his days for purification renders a person that he touches *tamei*?

Rav Sheishes replied: Since he renders garments *tamei*, he renders a person *tamei* as well.

But, Rav Achadvoi said, perhaps this only applies to clothes which are directly connected to the *metzora* (but not something which he merely touches)? For similarly, we have the case of the moving of a *neveilah* (carcass of an animal that was not slaughtered properly), which makes the garments *tamei* but not the man!

Rav Sheishes replied: And from where do we know that a *sheretz* (the Torah enumerates eight creeping creatures whose carcasses transmit *tumah* through contact) makes a man *tamei*? Is it not from the fact that it makes garments *tamei*!?

Rav Achadvoi replied: Of the *sheretz*, it is distinctly written: *Or a man who touches any creeping thing will be made tamei.*

Rav Sheishes suggested another source: How then do we know that semen makes a man (who touches it) *tamei*?

Do we not say that it is because it makes garments *tamei*, therefore it makes a man *tamei*?

Rav Achadvoi replied: The rule of semen is also distinctly stated, since it is written: *Or a man*, which includes one who touches the semen!

Rav Achadvoi made his objections in a mocking manner which deeply distressed Rav Sheishes. Soon afterwards Rav Achadvoi lost his speech and forgot his learning. Rav Sheishes’ mother came and wept before him, but in spite of all her cries, he paid no attention to her. She then said to him, “See these breasts from which you have sucked. [Repay that kindness by listening to my request. This is what was meant that the child debased the ways of his mother.] Rav Sheishes prayed for him and he was healed.

The *Gemora* asks: But what is the answer to the question that has been raised?

The *Gemora* answers: It has been taught in a *braisa*: Rabbi Shimon ben Yochai said: Washing of clothing is mentioned in connection with the period of the *metzora*’s counting, and washing of clothing is also mentioned in connection with the period of his confirmation. Just as a confirmed *metzora* renders any man he touches *tamei*, so also in the days of counting, he renders any man he touches *tamei*.

Rabbi Elozar said: A man who gives charity in secret is greater than Moshe our Teacher, for of Moshe it is written: *For I was in dread of the anger and the wrath*, and of one who gives charity secretly it is written: *A gift in secret pacifies anger and a present in the bosom – strong wrath.* I

Rabbi Yitzchak said: He who gives a *perutah* to a poor man obtains six blessings, and he who comforts him with words obtains eleven blessings. The *Gemora* cites a Scriptural source for this.



Rabbi Yitzchak further said: What is the meaning of the verse: *He who pursues charity and mercy will find life, charity and honor?* Because a man has pursued charity, shall he find charity (*he shall become poor and receive charity*)? The verse is teaching us that if a man pursues chances to give charity, the Holy One, blessed be He, furnishes him money with which to give it.

Rav Nachman bar Yitzchak said: The Holy One, Blessed be He, sends him men who are fitting recipients of his charity, so that he may be rewarded for assisting them.

The *Gemora* asks: What is he coming to exclude?

The *Gemora* answers: Such as those mentioned in the exposition of Rabbah, when he said: What is the meaning of the verse: *But let them be made to stumble before You; deal with them in the time of Your anger?* Yirmiyah addressed the Holy One, Blessed be He: Master of the Universe! Even when they (*the people of Anasos*) are prepared to do charity, cause them to stumble by people who are unworthy (*of receiving charity*), so that they won't receive and reward for that charity.

Rabbi Yehoshua ben Levi said: He who habitually does charity will have sons who are wise, wealthy, and versed in the *Aggadah*. The *Gemora* cites a Scriptural source for this. (9a – 10a)

INSIGHTS TO THE DAF

Reckoning with the Charity Collectors

The *Gemora* cites a *braisa*: The charity collectors are not required to give an account of the monies entrusted to them for charity. And the treasurers of the Temple are not required to reckon the funds given to them for the Temple purposes. And although there is no actual proof of this in the Scriptures, but there is a hint of it in the following verse: *And they would not reckon with the men into whose*

hand they delivered the money, to give to those that did the work, for they dealt faithfully.

Rabbi Elozar said: Even if a man has in his house a treasurer on whom he can rely, he should tie up and count out all money that he hands to him, as it is written: *They bound it in in bags and counted the money.*

Rashi writes that although he has no intention of demanding an accounting afterwards, he still should tie up and count out all money that he hands to him.

What is the purpose of such a counting?

The Meiri explains that if he will not count it in the beginning, he will certainly suspect the treasurer that he accepted more money than he actually spent. Now that it is counted, at least they are both aware as to the amount of money which was given over to him. One should always make an effort not to suspect a person of committing a wrongdoing.

The Maharsha writes that the money is counted in order that the *mazikin* (*spiritual damagers*) should not have any control over the money, for money that is tied, sealed, or counted they cannot have any effect over.

The Ein Eliyahu answers that it is counted in order that the treasurers themselves can make a calculation at the end, if they so desire.

The unique merit of charity collectors

Rabbi Elazar so esteemed those collecting charity for the poor that he defined their merit as greater than that of the giver. Many commentators and poskim contrast his statement to Rabbi Abahu's in Sanhedrin (99b) – "The Torah regards whoever convinces another person to do a mitzvah as if he himself had done it". There is an apparent inconsistency as, according to Rabbi Abahu, the reward of



a charity collector is only equal to but not greater than that of the donor's.

Two degrees of giving charity: Mahari Kurkus (Hilchos Matenos 'Aniyim, 10:6) and the Prishah (Y.D. 249:5) reconcile the difficulty by defining two categories of donors to charity: those giving willingly and joyfully, who earn a tremendous reward, and those who must be beseeched, whose reward is less. The Torah regards a collector who must intensively persuade people to donate to a cause "as if he himself had done it" in the most perfect way and his merit surely exceeds theirs. HaGaon Rav Yaakov Emden adds that a collector's reward is so much greater since he humiliates himself by sometimes having to grovel for a worthy cause. His personal hardship is greater than the hardship of parting with one's money. In his Chochmas Adam (Kelal 144:14), HaGaon Rav Avraham Danzig asserts that collectors accomplish two mitzvos: supporting the indigent and enabling others to donate charity. The Chofetz Chayim (Ahavas Chesed, II, 16) also remarks that a collector's reward is so great since he causes many people to do mitzvos.

Must everyone be a fundraiser? Nesivos HaMishpat (72, S.K. 19) explains that though everyone must give charity, the mitzvah does not obligate all to collect from others: the beis din of a community must see that everyone gives and, if needed, appoint gabaim to compel those who can give more. Still, those who voluntarily give their time to lead charitable campaigns earn a unique merit as the 'Aroch HaShulchan (Y.D. 247:5) remarks that, according to a reliable tradition, collectors of charity for the poor save their offspring and their future generations from resorting to charity themselves.

In his Mateh Efrayim (427:3), HaGaon Rav Efrayim Zalman Margolios zt"l stresses that though a collector's reward is very great, he must try to persuade potential donors as discreetly as possible. He therefore admonished gabaim

who were accustomed to stand at the synagogue entrance on erev Yom Kipur asking for donations, sometimes telling congregants "A person like you should give more!" He also relates that chazanim used to put collection boxes in shul before services for congregants to contribute so that the chazan would pray wholeheartedly for the community. In his opinion, the custom should be banned as some chazanim become bitter at the paltry sums but "As they've made it a custom, who can do away with it?" He suggested, though, that the boxes have lids to prevent chazanim from seeing amounts of individual contributions.

DAILY MASHAL

A Charity Campaign during a Bris

In Ana 'Avda, Meir Volach tells the story of HaGaon Rav Shmuel Kovalski zt"l who was celebrating the bris of a son. Toward the end of the occasion Rav Shmuel and his brother-in-law disappeared for a while and, on returning, evaded divulging where they had been. Eventually people revealed that he had come to them, still with his shtreimel and finest clothes, to ask them to help finance a poor orphan's wedding. Asked to explain his festive garb, he replied that he had just made a bris for his son and left immediately to see to the next mitzvah on his agenda. The people were deeply impressed and opened their hearts and wallets but his family still asked why he had to draw such attention to himself.

"But that's the whole point!" he smiled. "I assumed everyone would understand that if I came in the middle of my son's bris, the present matter must be very urgent. My appearance in Shabos clothes was worth more than a whole speech!"