

The Weekly Daf



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Bava Kama 9-15

Week of 21 - 27 Adar 5754/4-10 March 1994

Rav Weinbach's insights, explanations and comments for the 7 pages of Talmud studied as part of Daf Yomi during the above dates.

Equal Rights, Equal Responsibility

“... a man or woman who shall commit any human sin” (Bamidbar 5:6) - the Torah equated woman with man in regard to requiring atonement for sin.

Rabbi Yehuda in the name of Rav; The Academy of Rabbi Yishmael

“These are the laws which you shall place before them” (Shmos 21:1) - the Torah equated woman with man in regard to all monetary laws.

Academy of Rabbi Elazar

“... and if it (the ox who is an inveterate gorer) will kill a man or a woman, the ox must be stoned to death and its owner be required to pay indemnity” - the Torah equated woman with man in regard to responsibility for their deaths.

Academy of Chizkiah; Rabbi Yossi Haglilli

All three of these equations are necessary. Had only the first been written we might have limited equality to this category alone because the Torah wished to give a woman equal opportunity to achieve atonement for sin, while in regard to monetary laws we might have assumed that they are limited to man because commerce is principally his area. Had only the second equation been made we might have assumed that she was given equality in regard to monetary laws in order to allow her equal opportunity for earning a livelihood (since merchants would avoid her if she was not subject to these laws). But in regard to atonement we might have thought that only man who is obligated in all mitzvos requires atonement.

Had both of these equations appeared we might still have limited equality to them alone because of the need for equal opportunity for atonement and livelihood. In regard to the victim of a goring ox, however, we might have assumed that the indemnity required as an atonement for negligence in guarding the murderous ox is not because of responsibility for loss of life (for which there is no monetary atonement), but because such negligence curtails human potential for fulfilling all the mitzvos, and hence limited to man. On the other hand, had this last equation alone appeared we might have interpreted the indemnity atonement as relating to the loss of life and therefore equally applicable to both man and woman, a consideration not present in the previous two categories.

The Torah therefore spells out all three cases to equate woman with man in regard to all of these categories of responsibility and value.

Bava Kama 15a

Doing a Mitzvah in Style

Rabbi Zeira ruled that a Jew must be prepared to spend a third more in order to fulfill a mitzvah with greater dignity. In Eretz Israel they quoted Rabbi Zeira as adding that the heavenly reward for glorifying a mitzvah by paying up to a third more is only bestowed in the hereafter while the reward for spending even more than a third for this purpose already provides dividends during one's lifetime.

Bava Kama 9b

If one has a choice of buying two *Sifrei Torah* (Torah Scrolls) and one has a more beautiful script than the other, he should purchase the nicer one even if it costs up to a third more than the other because our Sages taught us, on the basis of the passage (Shmos 15:2) “this is my G-d and I shall glorify Him”, that we must fulfill His commandments in the most glorious fashion - through a beautiful *Sefer Torah*, a beautiful *lulav*, a beautiful *talis* and *tzitzis*.

Rashi

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Issue #4