

The Weekly Daf



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Bava Kama 44-50

Week of 27 Nissan-3 Iyar 5754/8-14 April 1994

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

A Woman's Right to Privacy

The concern of the Talmudic Sages for the privilege of privacy due a woman in special circumstances serves as the determining factor in the different rulings provided in what seem to be two identical cases.

Case One:

A woman enters, with permission, the house of a neighbor in order to bake bread in his oven. The neighbor's goat eats her dough and as a result becomes sick and dies.

Ruling:

The Sage Rava ruled that she must pay for the damage caused to the goat through her negligence.

Case Two:

A woman, with permission, enters a neighbor's house to grind some wheat. The neighbor's animal eats the wheat, becomes sick and dies.

Ruling:

The Sages ruled that she has no responsibility for the damage.

The Difference:

When a woman receives permission to enter a house, she must assume responsibility for guarding the host's animal from damage only when her presence precludes the host's ability to be present. In the process of baking, and the intense heat forces her to roll up her sleeves. This renders it improper for the host to remain in the house and responsibility for guarding the host's animal from damage devolves upon her. This need for privacy is not present when she grinds her wheat modestly dressed, and responsibility for guarding the animal remains with its owner.

Bava Kama 48a

The Environmentalist's Perspective

One should not remove stones from his private property by dumping them in the public street. A man who was doing just this was upbraided by a righteous neighbor: "Irresponsible one, why do you remove stones from property which does not belong to you to property which does belong to you?"

The polluter laughed off this puzzling rebuke. Some time later he came upon hard times and was forced to sell the field from which he had removed the stones. As he walked in the street, he tripped over the very stones he had cast upon it.

"Now I understand how wise that righteous man was," he sadly exclaimed. "He correctly challenged me when he described my act of pollution as throwing stones from a field which will not always be mine to a street which I share with everyone else."

Bava Kama 50b

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