



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

Bava Kamma Daf Lamed Ches

SHOR SHEL YISRAEL SHENAGACH SHOR SHEL KNAANI PATUR

- **Q:** If we darshen the word "rei'ayhu" to exclude a goy, then a goy should be patur when his ox gores a Yid's ox, and if we don't, then a Yid should be chayuv when his ox gores the ox of a goy!?
A: R' Avahu darshened a pasuk to teach that when Hashem saw that the goyim were not keeping the 7 mitzvos Bnei Noach, He released their money to the Yidden (in the sense that the goy has to pay when his ox gores the ox of a Yid, although based on "rei'ayhu" he should not have had to pay). **R' Yochanan** made this same drasha based on another pasuk. A Braisa brings both of these pesukim as the reason that a goy must pay when his ox gores the ox of a Yid. The Gemara says that the Braisa brought the second pasuk as well, because we find that others use the first pasuk for other drashos. Therefore, the second pasuk is certainly available for this drasha. We find that **R' Masna** uses the first pasuk to teach that when the goyim didn't keep their mitzvos Hashem put them into galus. **R' Yosef** uses the first pasuk to teach that when the goyim didn't keep their mitzvos Hashem released them from having to keep their mitzvos. This was a punishment, as **Mar the son of Ravina** explains, because it results in that even if they do the mitzvos, they will not get rewarded for it. Although a Braisa says that a goy does get rewarded, he will not get the greater reward of a person who does a mitzvah that he is commanded to do (whose reward is greater than someone who does a mitzvah that he was not commanded to do).
 - A Braisa says that the Roman government sent two officers to the **Chachomim** to learn Torah. The **Chachomim** taught it to them, reviewed it, and reviewed it again. As they were leaving, the officers told them, we have examined all of Torah, and it is all true and equitable, except for the halacha that a Yid does not have to pay when his ox gores the ox of a goy, and yet a goy must pay full damages when his ox gores the ox of a Yid! The officers said, if we darshen "rei'ayhu" then the goyim should also be patur, and if we don't, the Yidden should also be chayuv!? They said, although we have this inconsistency, we will not tell it over to the government.
- The Gemara tells how **Ulla** went to be menachem avel **R' Shmuel bar Yehuda** after the passing of his daughter. He darshened the pasuk where Hashem told Moshe Rabbeinu not to fight Moav. He explained that Hashem wanted Amon and Moav to remain in existence to allow for the birth of Naamah and Rus. **Ulla** said, you see, that if a person still has potential, Hashem would not allow them to be killed. If Hashem allowed your daughter to pass, it must be that her full potential was reached.
- **R' Chiya bar Abba in the name of R' Yochanan** said, we learn from the story of Lot and his daughters that Hashem does not withhold reward even for one's use of finer speech. Regarding the son of the older daughter, who called her son Moav (meaning "from my father") and announced to all that he was the product of incest, Hashem told Moshe that the Yidden cannot fight a war with them, but this seems to allow the Yidden to harass them. Regarding the son of the younger daughter, Amon, whose name does not announce to all that he was the product of incest, Hashem told Moshe that the Yidden may not even harass the nation of Amon.
 - **R' Chiya bar Avin in the name of R' Yehoshua ben Korcha** said, a person should always try to do a mitzvah as soon as possible, because the older daughter of Lot, who did the "mitzvah" (in their minds it was a righteous act) one night earlier, merited to have her offspring join the Yidden four generations before the descendants of the younger daughter.
- A Braisa says, if the ox of a Yid gores the ox of a Kuti, he is patur. If the ox of a Kuti gores the ox of a Yid, a tam would pay half damages and a muad would pay full damages. **R' Meir** says if the

ox of a Yid gores the ox of a Kuti, he is patur. If the ox of a Kuti gores the ox of a Yid, whether it is a tam or a muad it would pay full damages.

- **Q:** This seems to say that **R' Meir** holds that Kutim are not considered to be Yidden. However, in another Mishna **R' Meir** says that the "dam nidah" of a Kuti is tamei, which means he holds they are Yidden!? **A: R' Avahu** said, in fact he considers them to be Yidden. However, he penalizes them to discourage regular Yidden from associating with them.
 - **Q: R' Zeira** asked, a Mishna says that if a Kutis is raped she is entitled to collect the penalty from the rapist. Now, according to **R' Meir** we should penalize her and not allow her to collect!?!? **A: Abaye** said, we allow her to collect so that the rapist not gain by not having to pay.
 - **Q:** Why don't we make the rapist pay, but take the money and give it to tzedaka, thereby making him pay but also not allowing her to collect!?
A: R' Mari said, doing so would lead to no one feeling entitled to the money and therefore making that no one would claim and fight for the rapist to pay the money.