



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

Bava Kamma Daf Samach Daled

- **Q:** The Gemara had quoted a Braisa taught by **Chizkiya**, that said, the pasuk could have said the words "shor" and "geneiva", and we could have learned out everything else from it. Now, how can you say that the word "shor" would act as a prat, then followed by the word "geneiva" which acts as a klal, and a prat followed by a klal come to include all other items, when in fact the word "geneiva" is written before the word "shor", which should create a klal followed by a prat, in which case all is limited to the item listed in the prat!? **A: Rava** said, the Braisa means to say that the word "chayim" later in the pasuk is a second klal, creating a klal, prat, uklal, which is why the Braisa says that all included items will have to be similar to shor.
 - **Q:** The first klal and second klal are very different (the first klal includes even inanimate objects, whereas the second klal only refers to live objects), and they therefore cannot combine into a klal, prat, uklal!? **A:** The Braisa follows the **Tanna D'vei R' Yishmael**, who says that a klal, uprat, uklal is appropriate even in this case.
 - **Rava** continues and explains, the Braisa was asking, why do I need the word "ihm himatzei timatzei", which includes all items, when all items are already included from the klal, prat, uklal!? The Braisa answers, that we would say only things like a shor, which can be brought on the Mizbe'ach, are included, but not other items. The Braisa then continues and explains what is taught by the words "seh", "chamor", and "chayim" and says that everything would have been included. That is why the Braisa has the question as to the need for the words "ihm himatzei timatzei".
 - **Q:** Based on this explanation, the Braisa has a good question – why are the words "ihm himatzei timatzei" needed!? **A:** The second klal is the word "chayim". That would teach that only live things are included, not other things. The words "ihm himatzei timatzei" come to include *all* items.
 - **Q:** How can the words "ihm himatzei timatzei" be used as two separate klals? They are written right next to each other, without any prat in between them!? **A: Ravina** said, it is like they say in EY, when two klals are written together, we view them as if the prats are written in between them. Therefore, we darshen as if the word shor is written between them. We can't say that it teaches that the item must be live, because we would learn that from the word "chayim", therefore it must come to teach that even items that are not live are included. The word chamor comes and teaches that only something with a siman is included.
 - **Q:** Based on this, what is the word "seh" coming to teach? **A:** Rather, we must say that the psukim should be darshened as a ribuy umi'at. Therefore, it comes to include all items. The prats come to exclude land, slaves, and documents, and the words "geneiva" and "chayim" teach the halacha of **Rav**, that the value of the stolen item is assessed based on the time it was stolen.
- **Q:** According to the Braisa quoted earlier that said that one pasuk about keifel discussed a regular ganav and the other pasuk referred to a shomer who claimed that the item was stolen from him, what does the Braisa darshen with the pasuk of "ihm himatzei timatzei"? **A:** It will be used for the drasha of **Rava bar Ahilai**, who says that it teaches that if a person admits to being chayuv a penalty, and then witnesses testify that he is guilty, he will be patur from having to pay the penalty.
 - **Q:** How will the other Braisa learn this halacha? **A:** He will learn it from the pasuk of "asher yarshi'un elohim".

- **Q:** What does the other Braisa darshen from the pasuk of “asher yarshi’un...”?
A: He learns from it that one who admits to being chayuv for a penalty is patur from having to pay the penalty.
 - The other Braisa will hold that if one admits to guilt for a penalty and then witnesses testify to his guilt, he would be chayuv to pay the penalty.
- **Q:** According to the Braisa that says that one pasuk is referring to a ganav and the other to a shomer, what do all the prats in the pasuk come to teach? **A:** It was all written and repeated just for the sake of the chiddush, which is that one who admits liability to a penalty is patur even if witnesses later testify to his guilt as well.
- **Q:** Why don’t we say that a ganav is only chayuv keifel if he swore that he was innocent? **A: Abaye** explained the statement of **R’ Yaakov** in a Braisa to mean that the only reason the Torah has to separately discuss a ganav paying keifel (rather than it being learned from a shomer with a kal v’chomer) is to teach that he is chayuv even if he didn’t swear.
- **Q:** A Braisa uses the pasuk of “ihm himatzei timatzei” for a different drasha!? **A:** The fact that it doesn’t say “himatzei” twice, or “timatzei” twice, and instead changed the verbiage, teaches to allow for multiple drashos.