

The Weekly Daf



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Bava Kama 51-57 Week of 4 -10 Iyar 5754/15-21 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.

Pulling Together

Torah Law prohibits the use, in tandem, of an ox and a donkey — and similarly any two animals one of a kosher species and the other not — for any sort of work such as plowing or pulling a wagon. Rabbinical Law extends this ban to any two diverse species of animals.

The question is posed as to whether this ban also applies to a case in which a man hitches a wagon to a team consisting of a goat walking along the seashore and a large fish swimming alongside in the water. The argument can be made that since the goat does not function in the water nor the fish on land, therefore this cannot be considered working in tandem. It may be contended, however, that the wagon is ultimately moving forward as a result of their joint effort.

This question is not resolved in the Talmud and therefore falls into the category of all such unresolved issues. It is forbidden to use this odd couple to pull a wagon, but violation is not punished by a human court, which acts only on transgressions of whose nature there is no doubt.

Bava Kama 55a

TPCA —Torah Prevention of Cruelty to Animals

Prevention of cruelty to animals is a Torah concept that finds explicit expression in the command to help unload an animal collapsing under its burden. This humane concept also underlies a number of the explanations offered by leading Torah commentaries for the above-mentioned ban on working an ox and donkey in tandem.

1. The donkey is weaker than the ox and will suffer by trying to keep up with its stronger companion.

Ibn Ezra

2. The ox chews its cud, creating the impression for the non cud-chewing donkey that it is enjoying food while the companion goes hungry.

Ba'al Haturim

3. All species of animals instinctively cling to their own kind and suffer when forced into the company of strangers. An important lesson may be learned from this: never to couple, in one operation, humans of opposite natures. If the Torah showed such concern for the suffering of dumb animals, how much more so must we be careful in avoiding harm to our fellow man with the intelligence to perceive his Creation.

Sefer Hachinuch