

The Weekly Daf



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Bava Kama 65-71 Week of 18 - 24 Iyar 5754/29 April - 5 May 1994

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

This issue is dedicated in memory of Bernard Greenman O.B.M.

Rehabilitation Versus Compensation

The Talmudic Sages recognized the difficult challenge facing a man who wishes to give up a life of crime and make amends to his victims. They therefore decreed that in certain circumstances a repentant thief would be exempt from the strict Torah Law governing the return of stolen property.

If he stole a beam and built it into the roof of his home he is exempted from the Torah Law requirement to take apart his roof to return the beam and can instead pay the victim the value of the beam. This is to avoid discouraging him from repentance.

Bava Kama 66b

(Another example of such consideration is found later in this Tractate. A professional thief once declared an interest in mending his ways. His wife, however, warned him that if he repented he would have to return everything he owned and would be left without even money for a belt. This fear made him abandon his plan for repentance. When the Sages learned of this they decreed that if a man who had supported himself through crime takes the initiative to repent and is no longer in possession of the article he has stolen the victim of his theft should refuse to accept compensation in order not to discourage him from repentance).



Ounce of Prevention

Fruit produced by a tree during its fourth year cannot be eaten outside of Jerusalem unless it has been redeemed for money which will later be spent in Jerusalem. A traveler passing by a vineyard in its fourth year might irresponsibly help himself to some of its fruit and also transgress the ban on eating it unredeemed. The very pious owners of such fields (*tznuin*) would therefore set aside some money and declare that any of the fruit picked by a passerby would be redeemed on this money. They thus assured that no one would come to sin through them in any way.

Bava Kama 68b