



## OVERVIEW BAVA KAMA DAF 3

### Section 1: Understanding the Biblical Verses About Shen and Regel

The rabbis figure out which Torah verses teach about which types of damage.

**Question:** Why do we need a verse to teach about Regel (trampling)? We already have verses for Keren (goring) and Shen (eating)!

**Answer:** Without this verse, we might think there are TWO verses for Shen:

- One for when the animal eats EVERYTHING
- One for when it only eats PART of something

**Follow-up question:** Okay, so we use "he will send" for Regel. But then where do we learn that Shen applies even to partial eating?

**Answer:** We learn from Regel! Just like with trampling we don't care if the object is totally destroyed or only partially destroyed, the same is true for eating.

The same type of reasoning works the other way around too.

**Question:** Why does the Torah use two separate verses? Couldn't one verse teach both?

**Answer:** If there were only one verse, we might limit the law - like maybe you're only liable if you actively SENT the animal. The second verse teaches: No, you're liable even when the animal goes by itself.

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### Section 2: Finding a Sub-Category That's Different from Its Main Category

The rabbis keep trying to find which sub-categories are different from their main categories.

#### Attempt #1: Sub-Categories of Shen (Eating)

##### Examples:

- The animal scratched itself on your wall for pleasure
- It rolled in your fruit for pleasure

**Problem:** These are EXACTLY like Shen! The animal gets pleasure, it's your property, you're responsible for it. Not different at all!

#### Attempt #2: Sub-Categories of Regel (Trampling)

##### Examples of damage while the animal is walking:

- With its body
- With its hair
- With its saddle-bag
- With the bridle in its mouth
- With the bell on its neck

**Problem:** These are EXACTLY like Regel! The damage is common, it's your property, you're responsible for it. Not different!

#### Attempt #3: Sub-Categories of a Pit

**First idea:** A 10-handbreadth deep pit (kills animals) is the main category. A 9-handbreadth pit (only injures) is the sub-category.

**Problem:** They're both main categories - just for different types of damage (death vs. injury)!

**Better idea:** A stone, knife, or package left in a public road that causes damage.

**Problem:** Still basically like a pit! From the start they could cause damage, they were your property, you were responsible.

#### Attempts #4 and #5: Other Sub-Categories

The rabbis try sub-categories of Mav'eh and fire, but find the same problem - they're all basically like their main categories!

### Back to Answer #2: The Real Answer Is Pebbles!

Remember from yesterday - **pebbles kicked up by an animal's feet** is the key example.

A tradition from Moses teaches you only pay HALF damage for pebbles (unlike Regel where you pay full damage). This is truly different!

## Section 3: What Is Mav'eh? (Continued Debate)

**Rav's opinion:** Mav'eh = man (person)

**Shmuel's opinion:** Mav'eh = Shen (eating)

The verse evidence doesn't clearly favor either one, so they debate based on how to understand the Mishnah.

### Why doesn't Rav agree with Shmuel?

The Mishnah says "ox" - Rav thinks this includes ALL types of damage an ox does (Keren, Shen, and Regel). So Mav'eh must be something else entirely → man.

### Why doesn't Shmuel agree with Rav?

Shmuel points out: A later Mishnah specifically lists "man" as a separate thing. If our Mishnah also meant "man," why would it use a weird word like "Mav'eh"?

**Answer:** Our Mishnah only discusses damage to PROPERTY (not damage to people themselves). That's why it doesn't mention man directly.