



OVERVIEW BAVA KAMA DAF 22

Section 1: Why Is a Person Liable for Damage Caused by Fire?

Two Opinions:

R. Yochanan: Fire is like *his arrows*. When you light a fire, it's as if you're shooting arrows at whatever it burns.

Reish Lakish: Fire is liable because it's like *his property* — like an animal he owns that damages.

Why Didn't Each Side Take the Other Approach?

Question: Why didn't Reish Lakish say it's like arrows?

Answer: You shoot arrows yourself, but fire spreads on its own (the wind moves it). So it's not exactly like an arrow.

Question: Why didn't R. Yochanan say it's like his property?

Answer: Property has substance you can grab; fire has no substance.

The Mishnah's Dog and the Coal:

If a dog took a cake with a coal in it and burned grain — half-damage on the grain.

Why half-damage? Because this is the dog's "arrow" — pebbles thrown by an animal (which is half-damage).

Problem for "his property" opinion: The coal isn't the dog's owner's property!

Answer: The case is the dog *threw* the coal. So:

- Full damage on the cake (Shen — animal eating).
- Half-damage where the coal landed (pebbles / Keren-like abnormal behavior).
- Exempt for the rest of the grain pile.

R. Yochanan's version: The dog *placed* the coal down. Full damage on the cake (Shen) and on where

it was placed (fire = arrows). Half-damage on the rest (pebbles).

The Camel and the Lamp:

A camel carrying flax walked through the public street. Its flax brushed against a store's lamp, caught fire, and burned the building.

- Camel owner is liable (his flax was the arrow).
- If the storekeeper left the lamp *outside* → storekeeper is liable.
- **R. Yehudah:** If it was a Chanukah candle (a Mitzvah) → storekeeper is exempt.

Problem for the "his property" View:

The lamp isn't the camel-owner's property!

Answer: The case is the camel brushed the burning flax against the whole building. The damage is from the spread — and that's where the "arrows vs. property" debate plays out.

If So, Why Is the Storekeeper Liable?

If the camel brushed the flames itself, why blame him at all?

Answer: The flax was so big that it rubbed the building while the camel was standing still.

Then why blame the storekeeper too? Rav Huna bar Mano'ach: The camel had stopped to urinate.

- If flax entered the shop and caught — camel owner was at fault (overloaded camel).
- If the lamp was outside — storekeeper was at fault.

Section 2: Exemptions from Fire Damage

The Mishnah:

Reuven lit a stack of grain. A goat was tied to it and a slave was nearby — both burned to death. *Reuven is liable.*

But if the slave was *tied* to the stack and the goat was nearby — Reuven is *exempt*.

Why Exempt?

For the "arrows" opinion: When you kill a person, you get the death penalty — and Beis Din doesn't make you pay money on top of capital punishment.

For the "his property" opinion: Why exempt? An ox that gores a slave pays 30 Shekalim!

Answer: The case is Reuven directly burned the slave (he's Chayav Misah). The Chidush is: even though the goat and slave belong to different people, he's exempt for both.

Sending Fire with a Minor or Lunatic:

If Reuven sent a flame with a Cheresh (deaf-mute), Shoteh (lunatic), or Katan (child), and damage resulted: Beis Din can't force Reuven to pay, but he's liable in Heaven.

The Problem for "his property":

If fire is like his property, why isn't he liable? It's just like asking someone to watch his ox!

Reish Lakish vs. R. Yochanan:

Reish Lakish: He's only exempt if he gave a *coal* and the messenger blew on it. If he gave an open flame → liable.

R. Yochanan: Even with a flame — exempt. The messenger caused the damage by the way he held it. Reuven is only liable for *gross* negligence (dry wood, kindling, a lit lamp — full fire setup).

Rava's Support for R. Yochanan:

A verse: "When fire will go out" — by itself. "The one who burned will pay" — he's called the burner.

A Beraisa: The Torah first talks about money damages (property), then concludes with the damager (one who burned). This teaches fire is liable because it's like his arrows.