

## CURRENT TALMUD PASSAGE

### "A TALMUD TALE" PREMIERED FEBRUARY IN HOUSTON, TX!

The musical was an enormous hit! If you'd like a dvd of the show, please send a [contribution](#) of \$18 for an enjoyable, entertaining and inspiring look at the world of the Talmud!

Posted November 21, 2008, by Rabbi Judy Abrams. Please refer to Maqom's home page for information about previous passages.

## BH

### THE YERUSHALMI ON WILDFIRES AND HANNUKKAH © Judith Z. Abrams, 2008

The wildfires in California, and the proximity of Hannukkah, were the impetus for this study passage.

In the Bavli, a huge chunk of material about Hannukkah is found at the beginning of the second chapter of tractate Shabbat. The Yerushalmi doesn't have a parallel to that material in tractate Shabbat. In fact, as far as I can tell, the Yerushalmi's silence on the topic is positively deafening. The Yerushalmi is only concerned about the Hannukkah lights as fire hazards.

In the case of a camel was carrying flax and walked on a public road and the flax it was carrying poked into a store and caught fire from the lamp of the storekeeper and set fire to the building: the owner of the camel is liable.

If the storekeeper had left his lamp outside, the storekeeper is liable.

R. Judah says: If it was a Hannukkah lamp, he is exempt (M. Baba Kamma 6:8)

Regarding this last teaching, he is exempt because he left it here by right. And the sages say: One way or the other, he is liable. For example, those who spread sukkah roofing over their shop doors on a public road during Sukkot do so by right. But if someone came along and was injured by them, the storekeeper is liable. (Y. Baba Kamma 6:8)

#### Discussion Questions:

1. Could the material on Hannukkah be "siphoned off", as it were, into midrash collections such as Pesikta Rabbati, which is devoted to each holiday of the year? Do you find this a plausible explanation as to the Yerushalmi's apparent indifference to the holiday? What other explanation would you put forth?
2. The question of liability was as crucial then as it is now. It appears that even if one is allowed to put decorations or a channukkiyah out in the public street, one is still liable for the damage they may cause. But if one brings highly flammable material through the market (i.e., flax), then that person is responsible for the ensuing blaze. How does this compare with modern ideas of liability? If we found out who or what started the fire in California, what would change?

Enjoy and happy Thanksgiving!