



WHEN SPARKS FLY

Every spark is bright and dynamic. It's full of light and possibility. It's magical and transcendent. It can exist for one moment and disappear, or it can be nurtured and grow into full light if harnessed and managed properly.

This brings us to a famous Talmudic debate about sparks and professional liability. In BT *Shabbat* 21b, a blacksmith is responsible for damages if his anvil causes unintended sparks to hit something or someone. He should be aware, at all times, that his job comes with hazards that require extra precautions. The same is true for a flax merchant traveling in a public domain who ignores the lamps of storekeepers when he enters a store with a camel laden with wares. Flax catches fire quickly. If the storekeeper, however, put an oil lamp outside the store, then he, rather than the flax

merchant, is liable. In general, it may be a good idea to keep all camels outside of retail locations.

The whole legal dynamic of professional responsibility changes if the oil lamp in question is a menorah. According to R. Yehuda, "If the flax was set on fire by the storekeeper's Hanukkah lamp that he placed outside the entrance to his store, he is not liable." Ravina, citing Rava, adds an addendum to this. The menorah should be placed within 10 *tefahim*, handbreadths, from the ground. But maybe, the Talmud ponders, the storekeeper should place the menorah higher than a passing camel to avoid any problems whatsoever? The Talmud's conclusion takes into account human nature:

"If you burden one excessively, one will come to refrain from performing

the mitzvah of kindling Hanukkah lights." The onerousness of a mitzvah may compromise its observance.

The shopkeeper, wanting to attract customers and not have them avoid his shop, may not light the menorah at all.

This discussion takes place far from the few pages we have about Hanukkah in the second chapter of *Tractate Shabbat*, amid debates about the permissibility of certain oils for lighting Shabbat candles. Our focus is not on oils and wicks. It is on damages. After thinking about indemnities and recompense on an ordinary day in a blacksmith's forge, the Sages turned their attention to a possible exception on an exceptional set of days. What happens when the blaze of Hanukkah candles in a public space can, if unchecked, become

menacing? This discussion centers not only on occupational hazards. It also touches on the nexus of I-awareness and time-awareness.

The I-awareness of obligation and concern is twinned here with a time-awareness of the observance of a holiday. In his article “Sacred and Profane,” Rav Soloveitchik describes two types of people. Those who measure time by the clock and by the calendar, whose idea of time is merely quantitative: “These people are,” he writes, “deprived of an historical consciousness, for history is the living experience of time.” To such a person all units of time are equal. The one who measures time qualitatively, however, has a very different experience of time. Time is an opportunity to bring newness, creativity, and accomplishment to every moment. He does not wonder how to get through the next hour but how to make the next hour unforgettable, as the Rav wrote, “The time norm is the highest criterion by which man, life and actions should be judged.”

The shopkeeper and the merchant conduct their work in the here and now of commerce and an exchange of goods and services for pay. But on Hanukkah, they also attach themselves to an evanescent, historic light and what it demands in terms of heightening consciousness. In so doing, these ordinary workers are joined to the collective force

and expression of holiness on the job. Rabbi Jonathan Sacks, in his introduction to his *Covenant & Conversation* volume on Genesis, writes that time is both cyclical and linear. “Time” is, he writes, “a non-repeating sequence of events, a journey in which no stage is exactly like any that has been or will be. Jewish time is like a fugue between these two themes, the eternal and the ephemeral, the timeless and the timely.”

In our Talmudic debate, the additional complicating factor of Hanukkah is meant to widen the concerns of the blacksmith, shopkeeper, and merchant from the timely to the timeless, from thinking about space alone to deepening their experience of time. They must care not only about the fulfillment of a mitzvah, but, in so doing, also care about the world that passes them by on these days.

They — and we — cannot afford to lose ourselves in the joy of the day and forget the responsibility that comes with light. From a leadership perspective, this case has much to say about due diligence and preventative measures. It also raises profound questions: What is realistic to expect of people when it comes to professional accountability? What happens to the observance of a mitzvah when we place too many expectations on people that may compromise their livelihoods, even if temporarily? But something else

underlies this debate. To what extent do those involved have an awareness of even the minute consequence of their actions and their surroundings? Attention must be paid, as Arthur Miller famously wrote in *Death of a Salesman*.

The blacksmith, the shopkeeper, and the merchant help us appreciate that this mandate to shed light and to do so responsibly is not separate from our work but intertwined with it, on Hanukkah and on every day that follows.

Yeshayahu, long before this, offered us a way to pay close attention to the light: “I, the Lord, in My grace, have summoned you, and I have grasped you by the hand. I created you, and appointed you a light of nations, opening eyes deprived of light, rescuing prisoners from confinement, from the dungeon those who sit in darkness” (Isa. 42:6-7). The Malbim explains that the responsibility demanded here is to “light *faith* for others so that they do not move in darkness.” There is intimacy here in the moment of instruction and a confidence required in its application. We shine by holding onto God tightly and learning what to do with our light. We must use that light to seek out those dwelling in dim obscurity and opacity, and with that light repair a broken world in need of our illumination.



Find more shiurim and articles from Dr. Brown at
<https://www.yutorah.org/dr-erica-brown>