

Mishnah teaches that only the damage caused by a free man must be paid for and not damage caused by a servant.

The *Shittah Mekubbetzes* offers another explanation. He points out that the first instance in the Torah of man causing damage to his neighbor was a thief. The damage caused by a home intruder is done by his searching. *Maveh* is thus a fitting word, since it literally means one who “seeks out.” Using *maveh* reminds the reader that the original source of a man who damages is the burglar seeking property in the home of his victim.

The Netziv explains that the Mishnah was only discussing a man who damaged by mistake, but not a man who intentionally ruined property. Proof to this is the discussion of the Mishnah about ox and *maveh*. The Mishnah stated that had Hashem only explicitly obligated payment when an ox created damage, we would not have known that *maveh* is liable. If *maveh* means a man who deliberately causes damage, then there would be no reason to say that a person must pay for his ox’s damage, but that he would be exempt for the damaged he caused by himself. The Mishnah is teaching that even though the damage was caused by mistake, the damager must pay.

It is difficult for a person to guard against accidents. In order to avoid even unintentional harm, we must *daven* constantly to Hashem for help. In this regard, man is referred to as a *maveh*—one who must ask and seek assistance from Hashem regarding his daily interactions.

Rav Shlomo Zalman Auerbach went further. He taught that lack of prayer is the reason for financial liability for damage. A man who prays correctly that Hashem should save him from causing damage will merit that no damage will occur through him. Due to his prayers, Hashem will ensure that no damage will occur through him. Since he must pray to avoid causing damage, if damage occurred by his