



בס"ד Menucha

*The Shabbos Table Companion
for the Whole Family*

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פרשת וירא

Halacha Challenge



Removing Things off a Tree on Shabbos by Shlomo Epshteyn

As Levi was taking his *oneg* Shabbos walk, he decided to rest for a bit. He took off his hat and hung it on a tree branch, forgetting that on Shabbos we can't place things on trees, bushes or other hard plants. Can he now take his hat off the tree?

Devar Halacha Reviewed by HoRav Malinowitz

If a person put an item on a tree during—or even before—Shabbos, he may not remove it on Shabbos¹. This is true even in a case where the item was placed on a tree unintentionally (e.g. the wind blew it there). The same rule applies to bushes and other hard plants².

Mekor Halacha

The Mishna in *maseches* Shabbos³ lists *kotzer* (reaping) as one of the *avos melachos*. The definition of *kotzer* is detaching a living thing from its usual source of nourishment⁴. In some cases, this *melacha* applies even to things that are not growing from the ground. For example, the Gemora says that a person transgresses Shabbos if he removes mushrooms that grow on the edge of a bucket, since they receive their nourishment from the water that is located there⁵.

To prevent a person from doing the *melacha* of *kotzer*, the sages prohibited several activities which may lead a person to detach a living plant or part of a plant from its source of growth. One of these prohibitions is stated in the Mishna (Beitzta 5:2): "We do not climb a tree [on Shabbos]." The Gemora⁶ explains that this *g'zeira* was enacted in order to prevent people from purposefully detaching branches, leaves, or fruits.

For the same reason, besides the prohibition against climbing on a tree on Shabbos, we are also not allowed to even make use of it. One of the sources for this law is the following Mishna (Erubin 10:8): "One may not sit on the roots of a tree which are protruding from the ground and have a height of three tefachim (or more)".

Chaza"l teach us that even removing things from a tree (e.g. a hat that a person hung there before Shabbos) is considered to be a usage of a tree that is prohibited on Shabbos. We see this from the following statement of Rav (Gemora Shabbos, 45a): "We are permitted to place a candle on a palm tree [before] Shabbos, but we are not permitted to place a candle on a palm tree [before] Yom Tov". Rashi explains that since a candle is not *muktza* on Yom Tov, one might come to remove it from a tree on Yom Tov, which would be considered a prohibited act of using a tree.

1. רמ"א א"ח סימן שלו סעיף א 2. שם, מ"ב ס"ק יג 3. פרק ז משנה ב 4. רמב"ם פרק ח מהל' שבת הלכה ג ומקורו גמ' שבת קז: 5. שבת קח. 6. ביצה לו: 7. פירוש רש"י

Remembering a Gadol

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Rav Nosson Tzvi Finkel (1943-2011).

Yahrtzeit date: 11th of Cheshvan (this year: Tuesday, October 15)

Rav Nosson Tzvi was born in Chicago. He was named for his great-grandfather, Nosson Tzvi, the Alter of Slabodka. At the age of 18, Reb Nosson Tzvi came to Yerushalayim to learn in the Mir. His diligence in learning was quite remarkable. He had a learning *sefer* with Rav Zundel Kroizer, in which they finished *shas* every year.

Rav Nosson Tzvi was appointed as Rosh Yeshiva of Mir in 1990. He was famous for his love of his students and never turned away anyone who wanted to learn with him. Even with Mir Yeshiva's very large enrollment, he tried to remember the name of each student. He also remembered personal details of the alumni abroad. His brother-in-law, Rabbi Aharon Lopiansky, Rosh Yeshiva of the Yeshiva of Greater Washington, said that at Mir dinners, 1,000 people could be waiting to speak with the Rosh Yeshiva, "and almost every single one had a personal connection with him".

Rav Finkel always searched for ways to increase *ameilus b'Torah* at the Mir. For example, one of his programs gave monetary rewards to those who had mastered many pages of Gemora. In another program, gifts were given to those who stayed "overtime" in the Beis Medrash. The Rosh Yeshiva himself would occasionally announce prizes for students who studied 12 hours a day for a certain period of days. He found a donor who paid for 1,000 talmidim to study two hours on Purim night in the yeshiva. Rav Finkel also instituted a half-day study / half-day trip program in the yeshiva during the summer break. He made this available to any yeshiva bochur in Israel. One talmid of the Mir quoted the Rosh Yeshiva: "Be content with a kosher esrog, and be *mehader* and *machmir* in your learning."

Rav Nosson Tzvi didn't let Parkinson's disease get in his way. Despite his condition he continued for years to learn with *hasmada*, delivered regular *shiurim*, and fundraised relentlessly for his yeshiva. It was calculated that he raised about \$500 million for the Mir over the last two decades of his life. Once, a student asked the Rosh Yeshiva why he never took medication to ease the symptoms of his disease. The Rosh Yeshiva replied that his doctor told him that such treatment would impact his memory. The Rosh Yeshiva concluded the conversation with that bochur by saying, "I'd rather be ill my whole life than to forget even one word of the holy Torah".

Solve This Riddle

Chaim did something. He then came to his Rav and related what he had done. "Chaim, what you did was an *aveira*", responded the Rav. "So how can I do *teshuva*?", asked Chaim. "Oh simple," answered the Rav, "just do the same thing again!" What did Chaim do?



Looking for an answer?
Look for it in the next
issue. In the meantime,
you have a whole week
to solve it!