



HEMDAT YAMIM

המדת ימים

Parashat Hashavua

Ki Teitzei, Elul 11 5784

Harav Shaul Israeli zt"l
Founder and President

“I Will Show Miracles Like the Days I Took you Out of Egypt” Harav Yosef Carmel

Our *parasha* begins, “When you go to war against your enemy and Hashem, your G-d, shall put them in your hand ...” (Devarim 21:10). We will focus on the *pasuk*'s opening (victory in battle) and put modern history in perspective.

We are finishing the year of the 50th anniversary of the Yom Kippur War. Was the victory miraculous or can we explain it within the realm of the natural?

In this war, the enemy fell into the IDF's hands (as our *pasuk* concludes). Many Egyptians and Syrian soldiers were literal captives, and around 30,000 soldiers of the Egyptian 3rd army were totally surrounded, which forced a cease fire on Egypt, at a time that IDF forces were 100 kilometers from Cairo and 30 kilometers from Damascus.

The prophet Micha exclaimed: “Arise, Daughter of Zion, and trample, for your horn I will turn into iron, and your hooves I will make bronze, and you will trample many nations” (Micha 4:13). This *pasuk* epitomizes what Israel's armored corps did in this great victory.

I will tell a personal story. At the end of the war, some of the rabbis of the Hesder yeshiva students who fought in tank units in the south (I was one of them), on both sides of the Suez Canal, came to visit and give classes to the soldiers who had fought a tough war and lost many friends. They also met with commanders. One of the important visitors was Rav Yehuda Amital, founder and Rosh Yeshiva of Yeshivat Har Etzion. When he met our battalion commander, **Micha Kugel**, from Kibbutz Yagur, Rav Amital gave him a present – a complete *Tanach*, inscribed with the above quote from **Micha**. One could have not picked a better *pasuk* for him, and our commander's regard for Torah grew further.

Micha also promised that in the days of the future liberation, the Jewish People will see miracles on the level of those of the Exodus from Egypt. “I will show you miracles like the days that you left the Land of Egypt” (Micha 7:15).

We will now review the atmosphere in Israel prior to the Yom Kippur War. The State of Israel was still in euphoria, resting on its laurels after the incredible victory of the Six Day War. Because of this overconfidence, the Egyptians' and Syrians' deception ploys to hide their mobilization succeeded beyond expectation. The opening artillery assault totally surprised the IDF. Within 24 hours, important brigades in Sinai and the Golan Heights all but disappeared. The vaunted IDF air force had trouble with anti-aircraft fire; tank units initially had no answer for the impenetrable wall of anti-tank missiles they encountered. Infantry was of limited help. The first two days saw more than 1,000 soldiers killed and thousands more injured.

Only after 10 days, toward the end of Sukkot, did the plan to turn the momentum by crossing the Suez Canal starting taking form. A great miracle enabled our forces to build a beach head in between two Egyptian armies, unnoticed. The Egyptians were in the dark; Israel had great light.

This was an event in the mold of the prophet Micha's prophecy – miracles like in Egypt of old. The dedication and sacrifice of IDF soldiers caused divine assistance. This has been the last war we have fought against Egypt, the biggest and strongest Arab country. We must thank Hashem for the miracles and guard the wonderful present we received 76 years ago. The success of the new Jewish State, populated by Jews from all over the globe, is a great story of a miracle, maybe rivaling the Exodus. We can show our concern by supporting each other and avoiding divisive speech.

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Those who fell in wars for our homeland. May Hashem avenge their blood!

Ask the Rabbi

by Rav Daniel Mann

Hanging and Using Hammocks on Shabbat

Question: I want to buy a hammock and am considering two types. One is attached to two trees, and one is fastened to a frame that sits on the ground. Are there problems, for either type, with hanging them (*ohel* (canopy/tent-like structure)?) or using them on Shabbat?

Answer: The *gemara* (Shabbat 155a) says that one may not “use,” including by leaning on, a tree, as well as something that is connected or supported by a tree (e.g., a nail, rope, ladder) on Shabbat. Therefore, it is forbidden to lie on a hammock if it is tied to the tree directly; it is permitted if the hammock is attached to something connected to the tree (Shulchan Aruch, Orach Chayim 336:13). (Many hammocks come with parts in a manner that it is not obvious if it is considered one apparatus connected to the tree, or that one piece is connected to the tree and the main part of the hammock is twice removed and permitted.) Also, the lying on the hammock must not make the tree(s) move (Mishna Berura 336:63).

Hanging a tree-attached hammock, even to something already attached to the tree, will be a violation. Lying in one hung before Shabbat will depend whether the hammock is tied to the tree, or to something attached to the tree, and on the strength of the tree and weight of the person. These issues are not a problem for a hammock that is attached to a frame.

Is hanging the hammock considered making an *ohel*? Since a hammock is mainly horizontal, it is a candidate for *ohel*, which can be forbidden to erect even if it does not connect to a vertical wall (Shulchan Aruch, Orach Chayim 315:1). However, it is permitted to erect a temporary horizontal structure if it is not done to protect that which is below it unless it connects to vertical walls/boards (ibid. 3; Rama ibid. 7). A hammock connected to mere trees/poles would not have that problem.

A net-style hammock may have another reason to not have a problem of *ohel*. It is permitted to hang a material that has more “air” than fabric (Tosafot, Eruvin 102a; see R. Akiva Eiger, OC 315:2). This may be the case with a net fabric for a hammock, while on the other hand, the fabric of some hammocks gathers together when no one is in the hammock. In the latter case, it might be more fabric than air.

Is putting a body or a cloth on a net-style hammock, creating an *ohel*? Surprisingly, the *gemara* (Eruvin 102a) says that if the strands are within three *tefachim* of each other, it is considered, for the sake of leniency, a case where the *ohel* pre-exists and one can add on to it (see also Shulchan Aruch, OC 315:2). (It also does not appear that the body of a person lying down can be a forbidden *ohel*.) Swinging in the hammock will not be forbidden as creating an *ohel* in a new place, as it is permitted to move an existing *ohel* to a new place (Piskei Teshuvot 315:2). (Why, then, it is forbidden to use an open umbrella is a good question beyond our scope.) In any case, we saw that due to the lack of vertical walls or need to protect that which is below, a hammock is not a forbidden *ohel*.

Still, we cannot give broad permission to hang hammocks on Shabbat because the potential of other problems exists. In some models, there is a need or a likelihood of tying forbidden knots. Attaching the hammock to different types of frames can potentially be forbidden due to *boneh* or *tikkun kli* (different forms of forbidden building). Various parameters determine when an attachment is forbidden, and some of the major factors are: the connection’s strength, the expected or standard duration of the connection, and whether it is attached to something that is attached to the ground (see our Ask the Rabbi column for Va’ethchanan 5784). These can depend on the model and on how an individual makes and uses it. We would therefore expect someone (unless he is capable of working out the halachic calculations of his specific case) to put up the hammock before Shabbat if he will want to use it. It will then be permitted to use it in most cases (as we explained above).

“Behind the Scenes” Zoom shiur

Eretz Hemdah is offering the readership to join in [Rabbi Mann's weekly Zoom sessions](#), analyzing with him the sources and thought process behind past and future responses. Email us at info@erezhemdah.org to sign up (free) or for more information on joining the group.

Do not hesitate to ask any question about Jewish life, Jewish tradition or Jewish law.



Igrot HaRe'aya - Letters of Rav Kook

Maintaining a Friendship of the Spirit – #266 – part II

Date and Place: 11 Shevat 5670, Yafo

Recipient: Rav Pinchas Hakohen Lintop, the rabbi of a Chassidic community in Lithuania. He had learned *Kabbala* with Rav Kook when Rav Kook was in Boisk. The two were very deep and like-minded thinkers. We have previously seen a letter between them (#184), written a year earlier.

Body: [Last time, we saw Rav Kook try to alleviate Rav Lintop's feeling their relationship had cooled. Now we get to a discussion of philosophical matters. In the background, Rav Lintop's apparently critiqued Rav Kook's recent article, "Derech Hatechiya."]

I hope for great, practical miracles, no less than all who look toward Hashem's salvation. These shall come from Hashem's Hand to His servants, in the sky, and on the ground, in the seas and pertaining to everything within them. There will be spiritual miracles, finding expression in the kidneys and heart, and all the compartments of the spirit and soul. It will occur on a national and individual basis. From there, it will impact every nation and human being. Even the animals in the fields and forests, the birds, and the crawling creatures, everything with a soul breathed into it, will be included in the miracles. Even the vegetable and inanimate objects will not escape the ripple effect of the great chain of life, as the eternal Hashem reveals His light.

However, in order to improve the world and for all of the miracles to create blessing, so that they are recognized and followed on a paved path, all living things, including humans, especially the nation whose soul is part of Hashem's revelation, must smooth out the wrinkles of the souls with the power of He Who straightens such things. This is done by the spiritual intellect, which is full of light and heat, and by pure emotions of reliable love for the wondrous nation from which we were hewn and according to the "value" in all directions, which fills the whole world. This is in line with the *pasuk*, "Like the four directions of the sky I spread you out" (Zecharia 2:10). This connects with the constant deepening of [the people's] understanding of the divine, His goal, and the way He relates to everything, bringing a person greatness of the soul. Then, his emotions and wisdom are in line with those of the world, and he will not be disturbed if a foreign man of distinction follows a different line of thinking.

The depths of the miracles expose the wellspring of power, which teaches understanding to us and the whole world. Then we recognize that all great thinkers who oppose our way of thinking would have happily changed to ours if they would realize how lofty our storehouse is, filled with great riches and Hashem's blessing.

I do not wish to be defensive and say that my article, "The Way of the Reawakening" in "*Hanir*," will suffice to produce all the spiritual heights I allowed my spirit to touch on. It is not the work of individuals, a generation, or an era to refine all of the intertwined holy visions, which are very entangled when they are limited by entering the difficulties of life.

However, we have never refrained from presenting the essence of historical progressions when they add life to those with wise hearts. Even if they are not fully appreciated, they still encourage those who contemplate them. Considering everything, we cannot withhold writing visions that are presented clearly on a tablet (see Chabakuk 2:2), spelling out every element according to one's ability to explain that which is expected to transpire beyond what is generally understood even by the choice members of the nation. When speaking in such general terms, we reference the roots of the [spiritual phenomena]. We do not specify one nation vs. another and certainly one person vs. another. When we look at the "Book of Adam," we can see every generation and its specific spiritual leaders. However, first we must present the basis of the whole wonderful book: Man was created in Hashem's image. After this is understood, we can deal with the specific names of different people from whom streams of humanity emanated.

We continue next time.

We daven for a complete and speedy refuah for:

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P'ninat Mishpat

Incomplete and Imperfect Renovation Job – part III

(based on ruling 83063 of the Eretz Hemdah-Gazit Rabbinical Courts)

Case: The defendant (=def) hired the plaintiff (=pl) to do renovations for a fee of 400,000 NIS. Most of the project was completed, and def paid pl 95% of the fee. Due to disagreements between the sides, pl did not complete the job. Pl is suing for the 23,400 NIS not paid and for additional payment he deems to deserve based on extra work. Def countersued for flaws in the work.

Ruling: [This final installment deals with one remaining, localized question.]

Damage pl did to the building's parking area: Pl put, with the permission of def and his six neighbors, a roll-off dumpster to remove construction debris in a corner of the parking area, and it seriously damaged the asphalt. The building paid 42,000 NIS to replace the asphalt of the whole parking lot; def paid half of that amount. Although def agrees that the asphalt was not in good shape, the damage necessitated replacing it in the short term, and def was made to pay a larger part than others. Therefore, he demands 15,000 NIS from pl.

The *mishna* (Bava Kama 98b) rules that if a worker broke stones when undoing a wall, he must pay unless the stones fell from one side when he was handling the other side. The Meiri explains the partial exemption as being because the damage happened by an *ones* (not due to any shortcoming of his). The Yam Shel Shlomo says that while it was not beyond his control, he is exempt because he did what was expected of him. Our case should depend on whose opinion we accept, because pl could have known his action would cause damage, but, on the other hand, he did what the homeowners approved. Arguably, the Yam Shel Shlomo would agree to obligate because the damage was done relatively directly by the heavy equipment.

Another reason (other than the laws of damages) to obligate is that a paid worker is obligated like a *shomer sachar* (paid watchman) (Shulchan Aruch, Choshen Mishpat 306:4). On the other hand, a *shomer sachar's* obligations do not apply to things attached to the ground (Bava Metzia 56a). Tosafot (ad loc.) posits that the exemption for things attached to the ground is even for cases of negligence, whereas the Rambam (Sechirut 2:3) rules that a negligent *shomer* is like one who damages. The more accepted opinion is that this too is exempted (see Shulchan Aruch, CM 301:1 with commentaries). However, a worker who damages can be obligated through the rules of damages even for things connected to the ground. Therefore, we obligate pl, who, at the very least, could have warned the homeowners of the likelihood of damage.

However, def does not deserve the full amount he sued for. First, pl presented def with an estimate of 30,000 NIS for the job. Also, since asphalt lasts 25-30 years, the remaining value of the parking area's old pavement was only 6,000 NIS. Since the evidence indicates that only one sixth of the parking area was damaged, pl should only be obligated in 1,000 NIS.

Pl wants to be exempt because, in discussing def's counterclaims against pl and in the original suit, def did not mention a claim about the asphalt. Def's explanation, that he wanted to get pl to work and therefore left side claims for later, is reasonable, so there is no proof that def relinquished rights.

Comments or questions regarding articles can be sent to:

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