



Parshas Ha'azinu 5764

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What about leaning on a tree?

In the previous shiur we discussed the issue of climbing trees on Shabbos and we learnt that climbing trees on Shabbos is rabbinically prohibited.¹ In certain cases, leaning on a tree on Shabbos is similarly prohibited:

- It is *ossur* to lean heavily on a tree because that is called using the tree.²
- A strong, healthy person may lean lightly on a sturdy tree, making sure that the tree does not move.
- A weak person who needs to lean may not lean on a tree.³

The difference arises because a healthy person does not need to lean heavily on a tree in order to support himself whereas a weak, frail person does. In the latter case it is called 'using the tree'.

May one hang a coat on a peg fixed to a tree?

We learnt in the previous shiur that it is prohibited to hang or place anything on a tree on Shabbos. *Chazal* also prohibited using an item hanging or leaning on a tree,

as an extension of the *g'zeira*. This section is called **צדדין**, which literally means sides.⁴ Accordingly it is forbidden to hang a coat on a peg fixed to a tree because the peg is called **צדדין** – an attachment to the tree, and one may not use **צדדין**.

- Likewise, one may not climb a ladder leaning on a tree;
- One may not place an item in a basket hanging from a branch, as the basket is **צדדין**.
- One may not swing on a swing hanging from a branch.
- One may not place an item in a coat pocket hanging from a tree, or remove something from that coat.

May one lie in a hammock tied between trees?

Accordingly, one may not swing in a hammock tied between two trees or between a tree and a wall because the hammock is tied to the tree and is **צדדין**.

What if the hammock is tied to a peg, which is fixed to the tree?

One step away from **צדדין** is called **צדי צדדין**, or in other words, it is two steps away from the tree. This section was not prohibited by *Chazal* and one may use **צדי צדדין**. Accordingly,

¹ **Correction:** in the previous sheet we wrote that breaking a branch in order to stand on the place of the branch is an *issur d'oraisso*. It is not so. Breaking a branch will only be an *issur d'oraisso* when one needs the branch – קוצר, or when pruning the tree – זומר.

² *Simon* 336:13 in the *Bi'ur Halacha* ד"ה ומותר.

³ *M"B* 336:63. See also *SS"K* 26:12.

⁴ *Simon* 336:13 and *M"B* 59.

- One may place an item into a pocket of a coat hanging on a peg that is fixed to a tree. The peg is צדי צדדי and the coat is צדי צדדי. The coat however may not be removed from the peg because then one would be using the peg.
- One may swing on a swing tied to a pole that is tied between two branches or two trees. However, if the tree moves on account of one sitting on the swing one may not do so, as that is called using the tree.⁵
- One may place fruit into a basket tied to a pole or peg that is fixed to the tree. The basket is צדי צדדי.

To summarize: Using the tree itself is *ossur*. Using צדי צדדי is *ossur*. Using צדי צדדי is permitted provided that the tree does not move when doing so.

What happens if a ball gets stuck in a tree, may one retrieve it?

Removing something from a tree has the same law as using the tree and is forbidden. We learned that one may not remove a *shofar* from a tree on *Rosh Hashanah*, even though an entire congregation will forfeit the *mitzvah* of hearing the *shofar*. Therefore if a ball got stuck in a tree on Shabbos it may not be removed from the tree.

Vort on the Parsha

The *possuk* tells us (32:4) that *Hashem* is a G-d of truth and without iniquity. This obviously requires explaining as who would suspect Hashem of being unjust? We can explain this as follows. When a person is prosecuted in court on account of

a corporal crime that he committed, it will not help to try and appeal his case by saying that if he is executed, his poor widow will be left without a financial provider and his children will eventually roam the streets. The law is the law and if the punishment for his crime is the death penalty, it must be carried out regardless of the outcome.

The Heavenly court is different. If for example a person is judged in the Heavenly court and was found liable for the death punishment, his judgment will not be meted out if his wife does not deserve that punishment. If a righteous neighbor will have heartache from that punishment, and he has not sinned to the extent that he should so suffer, his friend will not be punished in that matter.

This is what the *possuk* means. *Hashem's* judgments are without iniquity even to the people that would be affected by the guilty party's punishment.

The rabbis tell us that one of the ways to be triumphant on the Day of Judgment (*Rosh Hashanah* and *Yom Kippur*) is by being benevolent and taking care of as many people as possible. In order for *Hashem* to pass a harsh judgment on such a person, the ruling must be consistent with the pain of all the people depending on that particular person and if they do not deserve to suffer, he will not be punished!

Food For Thought

May one walk or sit on grass on Shabbos?

Is it permitted to run on grass on Shabbos?

May one smell a myrtle branch (hadas) that is attached to the ground on Shabbos?

What about smelling the haddasim on Sukkos that are used for the mitzvah of netilas lulav?

Answers coming next week.

⁵ M"B 336:63 and SS"K 26:17.

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Note: The purpose of this series is intended solely for the clarification of the topics discussed and not to render halachic decisions. It is intended to heighten everyone's awareness of important practical questions which do arise on this topic. One must consult with a proper halachic authority in order to receive p'sak.