



HEMDAT YAMIM

חֵמְדָּה יָמִימִים

Parashat Hashavua

Bamidbar, Sivan 2 5784

Harav Shaul Israeli zt"l
Founder and President

Positive Social Structure

Rav Daniel Mann

Governments, especially local ones, need to do urban planning, on the macro and micro levels. In our *parasha*, the Torah “maps out” a structure for Bnei Yisrael’s encampment in the desert for what turned out to be 40 formative years. There are lessons to learn, some more obvious and some more subtle, from Hashem’s instructions to the young nation.

The most obviously significant characteristic is that the center of the encampment was the *Mishkan*, with its Divine Presence, and the *Levi'im*, the nation’s spiritual leaders. This set the tone for the encampment and ensured that all of the tribes were essentially equidistant to the place of national service of Hashem.

The encampment was broken up into four groups of three tribes each, with a lead tribe, in the four directions (Bamidbar 2:1-54). The groups were: Yehuda, with Yissachar and Zevulun, to the east; Reuven, with Shimon and Gad, to the south; Ephrayim, with Menashe and Binyamin, to the north; Dan, with Naftali and Asher, to the west. Ibn Ezra (ibid. 1:19) explains the significance of these groupings. They were, basically, according to the various matriarchs of Bnei Yisrael: Leah, Rachel, Bilha and Zilpa. This needed slight adjustments, as we will spell out. While Leah had six sons, which would seem to make two groupings, Levi was “lost” to the realm of the center-*Mishkan* region. So, while Yehuda was with two full brothers, Reuven “adopted” half-brother Gad, the first born of Zilpa, who was Leah’s maidservant, and whose children gravitated toward Leah’s children. This was followed by Rachel’s sub-encampment. Her firstborn, Yosef, was awarded two tribes, with the more prominent one, Ephrayim’s tribe, being the leader of Menashe and Rachel’s second son, Binyamin. Finally, Dan, the firstborn of the sons of the maidservants, led the final grouping with Naftali and Asher, after Gad was “elevated” to the Reuven group.

Hagut B’Parshiyot Hatorah posits a practical and straightforward idea to explain the logic of the groupings – it was for unity’s sake, to keep together populations that were most likely to get along. This thesis may teach us something important about unity. While ideal unity entails getting close to those with whom he is least likely to be close, practical steps for unity and peace call for people’s closest association being with those with whom they are most likely to cooperate well and less contact with those with more challenging relationships.

While Ibn Ezra suggests that the most prominent encampment was that of Reuven (which is presented first in Bamidbar 1:20-40), the more accepted approach is that Yehuda’s grouping was the most prominent. It is they who were the first to travel, and they are mentioned first in Bamidbar 2. Oznyim Latorah is one of the commentators who highlights the special characteristics of these tribes. Yehuda were the warriors and political leaders; Yissachar were the Torah scholars; and Zevulun were the businessmen who supported Yissachar’s Torah study efforts. This indeed has been a winning combination in successful times in our nation’s history. When such people work together properly, the question of who is first and who follows is not a divisive issue, as each has a sacred and crucial role in the sacred joint effort.

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Ask the Rabbi

by Rav Daniel Mann

Washing Dishes with Steel Wool on Shabbat

Question: I saw a *frum* woman wash dishes on Shabbat with steel wool, which I thought was unacceptable. Isn't it forbidden to do so?

Answer: There are two possible reasons to forbid using steel wool to wash dishes on Shabbat.

The *gemara* (Shabbat 50a) says that one may generally scrub utensils thoroughly on Shabbat, except that one may not scrub silver with an abrasive material called *gartekun* because that will definitely smooth out the surface. (Cleaning well is permitted, whereas smoothing a surface is included in the *melacha* of *memachek*). The Shulchan Aruch (Orach Chayim 323:9) *paskens* this *gemara* and highlights the fact that silver is a relatively soft metal. While the Mishna Berura (323:39) says that for other, harder materials even a *gartekun* can be used, some say that steel wool is worse, as it is meant to smooth out even the surface of steel (Shemirat Shabbat K'hilchata 12:10; Dirshu 323:41). Some *Acharonim* (see K'tzot Hashulchan 146:(126)) claim that there are also problems of *uvdin d'chol* (weekday-like activity) in this scrubbing.

On the other hand, this logic for stringency applies primarily for a more common use of steel wool – scrubbing pots with this quite abrasive substance to remove baked-on residue. (It is rarely permitted to clean pots, and certainly not scrub them, on Shabbat, with any material, as this is rarely needed for Shabbat, but should be done on *motzaei Shabbat*. Development of that topic is beyond our present scope.) You, though, asked about washing dishes, which are usually glazed flatware, and glasses, which do not need smoothing of their surfaces. This process is not similar to the *gemara's* description of the use of *gartekan*, even if the same steel wool could be used in that way. Therefore, using steel wool like a dish sponge is unlikely forbidden on the grounds of abrasive scrubbing (Shalmei Yehuda 9:(7) in the name of Rav Elyashiv and Rav B. Zilber).

The bigger problem is the similarity to a sponge, which may not be used on Shabbat because of *sechita* (squeezing out) of absorbent objects. (There is a *machloket* as to the *melacha* to which this belongs – see Orchot Shabbat, I, p. 399). One can argue cogently that steel wool, made up of thin **metal** strands, is not an absorbent object, and just as the *gemara* (Shabbat 128b) says there is no *sechita* of hair, so too there should be no *sechita* of steel wool. However, we generally assume that there is a Rabbinic prohibition to squeeze hair (Mishna Berura 326:25). This may also apply to other non-absorbent materials (see Orchot Shabbat 13:56).

The question is where to draw the line. The following is probably the basic guideline that most people knowledgeable about the *halachot* of Shabbat keep. If the non-absorbent elements of the material lie together in very close proximity, it is prohibited to squeeze the liquid between them, as this is in many ways equivalent to classic *sechita* (Shemirat Shabbat K'hilchata 12:15). For this reason, specially made “Shabbat sponges” are not only made out of hard, nonabsorbent materials such as plastic, but the strands are somewhat spread out. Steel wool does not meet these standards, and this is particularly a problem when it is desired that the liquid in between the strands (soapy water) come out to use for the washing (see Mishna Berura 320:55).

Therefore, *poskim* generally do not allow washing dishes with steel wool (Shemirat Shabbat K'hilchata 12:10; Orchot Shabbat 13:58). Nowadays, there are effective alternatives, broadly accepted for Shabbat use. However, since the idea that there is *sechita* on non-absorbent materials and its exact parameters are not trivial (see Shemirat Shabbat K'hilchata 12:(46)), the woman you refer to might have received a legitimate rabbinic leniency.

Even if one is going to use steel wool, he should be careful not to cut a piece off a roll or mass, on Shabbat (see Shulchan Aruch, OC 340:13), and if he is particular about the piece's size, it violates the *melacha* of *mechatech* (see Rambam, Shabbat 11:7; Mishna Berura 340:41).

“Behind the Scenes” Zoom shiur

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



Igrot HaRe'aya - Letters of Rav Kook

The Disgrace of Violating Shabbat in the Holy Land – #226

Date and Place: Yafo, date unclear.

Recipient: An open letter, apparently mainly focused on the commercial sector of Yafo.

Body: [We are skipping the first paragraph, which is a somewhat esoteric analysis of a gemara, illustrating the danger of lacking self-respect.]

I come to you this time, my respected, beloved people, with a moral feeling of the need to strengthen self-respect, which is worthwhile for us all to strongly internalize. I refer to self-respect for ourselves and self-respect for our nation and our Holy Land. These are concepts that are accessible and palatable to the heart of every person who lives among us.

Thank G-d, we live on holy soil, which should give us tremendous honor and glory. The fact that the Assemblage of Israel is living in the Desired Land is lofty and honorable in the eyes of our whole nation, our brethren in the Diaspora. Therefore, how proper it is for we who live in the beautiful Land to have a tremendous obligation to be aware of our clearly elevated value.

We, who live in this place, which has a great impact on our life course from a special, internal perspective, should feel the greatness of the moment when we hear the sound of the trumpet announcing the coming of the sanctity of the day of Shabbat. This signifies the correct time of sanctity and rest for the Nation of Israel. This system is so pleasant and encouraging, and it is very appropriate for our heart's great internal desire when it has its intended effect. It should remind our hearts of days of old, in the time when our forefathers lived on this holy soil (the *gemara*, Shabbat 35b, discusses the practice of ending the week of commerce with shofar or trumpet blasts). Nowadays, too, the blowing should also cause people to make their last food preparations and close their stores.

Shabbat's sanctity envelopes the whole Land of Israel. Its arrival brings a state of rest. The Jewish spirit is sanctified, as it removes the elements of the mundane weekday and its darkness and we rise toward Shabbat's sanctity and light.

It is so painful to the soul to see our brothers hardening their hearts to prevent themselves from recognizing the honor and power of this lofty moment [of the nation ceasing work], and instead continuing in their stores and businesses at this holy, pleasant time. This disturbs the pleasant and holy harmoniousness that the whole nation's spirit and soul strives for, in the public realm, here in the good and holy Land. Only a deafness to feeling and a smallness of the spirit can explain [ignoring Shabbat's nobleness]. How one belittles our value in our own eyes and the eyes of others!

Therefore, dear brothers, please return and let us sanctify Shabbat, the day of sanctity and rest for Israel. Let us sanctify it as it enters, at the proper time. Give greatness and strength to our great nation, so that its remnant will receive [what the nation was promised]. Brothers, have mercy on the honor of our nation and our Land. We are in a position of weakness; our hands are in shackles, and we cannot act with great power. But at least, respect the great desire that is hidden in the weak speech and tired hands.

The great Name of the savior and strength of Israel, the Greatness of Yaakov and its lot, calls upon us powerfully with grandeur: "Sanctify Shabbat! Refrain from keeping the coffee shop open and from all desecration of the holy Shabbat. Fill yourselves with greatness, the grandeur of eternity, and the sanctity of the light of Israel."

"You shall guard Shabbat because it is holy for you" (Shemot 31:14). "Whoever guards Shabbat from desecration, and holds back his hand from doing any evil. I will bring them to My holy mountain and make them joyful in My house of prayer, for My house is a place of prayer for all the nations, as Hashem the Lord, who gathers the dispersed of Israel, says. I will gather them again" (Yeshaya 56:6-8). May it occur speedily in our days!

We daven for a complete and speedy refuah for:

Nir Rephael ben Rachel Bracha
Ori Leah bat Chaya Temima

Arye Yitzchak ben Geula Miriam
Tal Shaul ben Yaffa
Together with all *cholei* Yisrael

Neta bat Malka
Meira bat Esther

P'ninat Mishpat

Profits from Formerly Joint Swimming Pool – part I

(based on ruling 81110 of the Eretz Hemdah-Gazit Rabbinical Courts)

Case: The defendant (=def) owns vacation units. In 2013, the plaintiff (=pl) agreed to install at def's location a large but movable swimming pool for def to operate. No written agreement exists regarding the terms of profit sharing. In 2021, pl demanded to get the pool back and was told that it was dismantled. At that time, def wrote a signed admission that the pool belonged to pl, that he used it, and that he had to pay for its value. Later in 2021, def informed pl that the pool had been burnt in a brush fire. Pl claims that he was to receive all of the profits from the pool until they covered its cost (16,769 NIS) and subsequently, they would be split them equally. (Pl guesses that the direct profits were 48,000 NIS, and he points out that its presence boosted def's business). So far, he has received nothing. Def claims he stopped using the pool in 2015 due to its lack of a water heater, and that he made his own pool by excavating a boulder. Although he made up with pl to sell the pool, he did not succeed to do so. Def claims that he signed the admission because pl was embarrassing him publicly and that it is not true. He admits to needing to share some profits, but, giving no estimate of how much, just claimed that pl exaggerated profits.

Ruling: In order to determine the sides' legal status regarding the pool, *beit din* asked hypothetical questions as to what would happen in various scenarios, prompting a fair amount of agreement. The result is as follows. The pool remained pl's, and def had responsibility only for damages emanating from him. If the pool would be sold, pl would receive all of the proceeds. Def would have borne the losses of operational deficit. The sides agree that profits were to be shared, with the dispute being on whether pl gets everything until the price of the pool is returned. On this, the ruling is that the burden of proof is on pl that he is to receive more than what def agrees. Pl lacks documentation on this.

The next question is when their partnership in the profits from the pool ended. When a partnership is set for a certain amount of time, neither side can break it unilaterally before then. However, this case is one of an open-ended partnership, so either side could end it (Shulchan Aruch, Choshen Mishpat 176:15-16). Furthermore, here, when the sides agreed in theory to sell the pool, each side agreed to end the partnership.

There are different ways one can potentially look at def's continued commercial use of pl's pool after the partnership was essentially over. If we view it as theft, then def would have full responsibility to return it no matter what happened, but pl would not receive part of the profit. However, in a similar case, the Chatam Sofer (CM 178) says that we do not assume a person has in mind to misappropriate someone else's object, as we do not assume people are acting as sinners. Rather, they probably have in mind to continue sharing the profit, in which case, pl would presumably be happy that def was producing profit from it on behalf of both of them until it was returned.

We will continue with other elements of the case next time.

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