



A collection of Torah thoughts produced by Kollel Menachem



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LAG BAOMER

Kollel together with the Yeshivah shule will be hosting a family Lag Baomer celebration this Motzai Shabbos.

All men, women and children are invited to join the celebration of the Hillula of the Rashbi with a bonfire, music, jumping castle and food for sale. Proceeds will go to help support the Avos Ubonim program.

7:30-9:00pm at Yeshivah behind the Mochkin building.

AVOS UBONIM

Last week an incredible turnout of over 70 boys plus the many fathers packed the Mezzanine for week 2 of Winter Avos Ubonim running each Motzai Shabbos.

Each week features fun learning, snacks, a story, raffle and our now legendary hot soup.

This week's learning will run from 7:00-7:30pm in the Mezzanine followed by the Lag Baomer event.

SHAALOS UTESHUVOS

Each Sunday morning, Rabbi Johnson leads a Shaalos Uteshuvos shiur focusing on relevant contemporary issues.

This week we will explore the topic of whether a Jew may enter a church and under which circumstances this may be permissible.

9:30-10:15am in the Kollel

SHABBOS SHIUR

This week's shiur between Mincha and maariv will be given by Rabbi C.T. Groner on the topic of dateline and Sefiras Haomer - analysing the Rebbe's view.

Who is the Kohen Gadol?

Parshas Emor begins with a discussion of laws of the Kohanim. After discussing the laws pertaining to the regular Kohanim, the Torah lists the unique Mitzvos for the Kohen Gadol.

The Kohen Gadol is described as **הכהן הגדול מאחיו**, the Kohen who is greater than his brothers. From this wording, our sages learn that the Kohen Gadol must be wealthier than the other Kohanim. If he is not wealthier than them, his fellow Kohanim need to give him from their own wealth until he is wealthier than them. This is derived from the Torah describing the Kohen Gadol as **הכהן הגדול מאחיו**, as if to say **גדלוהו משל אחיו**, make him greater from his brothers.

Yet, even though the Kohen Gadol's authority and ascent to the position comes from his fellow Kohanim, only he is the Kohen Gadol. Only he may enter the Kodesh Hakodoshim and fulfil the Avodah of the Kohen Gadol. A regular Kohen is considered a **רו** and may not enter, it's not his place.

The Rebbe derives a powerful message from this Gemora that applies in the relationship between a Rov and his community members.

A Rov and Balabatim have different roles and there must be clear delineation of what is the responsibility of the Balabatim and what is the responsibility of the Rov.

The Rov's job is to be immersed in the Daled Amos of Torah and Tefillah and to lead and instruct the community members in the path of Torah.

The Rov of a community may be elected to the position by the Balabatim of the community. He

may have a contract of employment given to him by the governors of the committee. His salary is likely to be paid for by the community as well.

A Rov should have the strength and authority to issue Piskei Halocha and uphold the laws of the Torah. Like the Kohanim, if the Rov lacks this strength, it is the responsibility of the Balabatim to empower the Rov and bolster his authority so that he can issue Piskei Halocha without compromise.

And like the Kohanim, it is important to remember that whilst the Rov's authority comes from the community's empowerment, he alone is the 'Kohen Gadol'. When it comes to the 'Kodesh Hakodoshim' of issuing Piskei Halocha, it is his jurisdiction alone.

All community members have the responsibility to be involved in strengthening and building the Shule and the community. They should devote themselves to activities of Askanus and Gemilus Chassadim. But when it comes to a matter of Halacha and Psak, this is ultimately an area for the Rov alone.

The Rebbe assures that this is the recipe for a successful and prosperous community, materially and spiritually.

When the conduct of the Kehillah will be in a manner of **גדלוהו משל אחיו**, the Rov will be able to be a true leader and guide the community in the ways of Torah and Mitzvos. Then they will be deserving of Hashem's blessings, and all of the Balabatim will be blessed with material prosperity.

Based on a sicha Yud Beis Tammuz 5718

Sources from Halacha page

1. OC 336:8
2. Shabbos 95a
3. OC 336:12
4. Mishna Berura 336:41 referencing Rambam 8:3
5. Mishna Berura ibid
6. Rashba Teshuvos 3:341
7. Ibid based on Pri Megadim Eishel Avraham 9
8. Yerushalmi Shabbos 7:2
9. See Shemiras Shabbos Kehilchasa chapter 26
10. Shivas Hashabbos Zoreia 10
11. Aruch Hashulchan 336:30 rules that one is also liable for Zoreia Mideoraisa in a perforated pot. The distinction between perforated and non-perforated only applies to uprooting or harvesting. This is the ruling of Nishmas Adam 11:1
12. 336:30
13. Shivas Hashabbos Zoreia 10
14. Avnei Nezer 194, Minchas Shlomo 1:10
15. Shivas Hashabbos
16. Yechave Daas 5:29
17. Magen Avraham 336:9, Mishna Berura 336:41, Shulchan Aruch Harav 336:11
18. Shulchan Aruch OC 336:8
19. Rashi Gittin 7b **ד"ה וספינה**. According to Rashi wooden pots are considered non-perforated.
20. Rabbeinu Tam quoted in Tosfos Gittin 7b **ד"ה וספינה**. According to Rabbeinu Tam ceramic pots are considered non-perforated. We adopt the stringencies of both Rashi and Rabbeinu Tam's opinions. If one placed a non-perforated ceramic
21. Shevet Halevi 6:167 **רעל פי מומחים**. Rav Elyashiv (quoted in Derech Emunah) and Minchas Yitzchak (8:92) are machmir.
22. Shevet Halevi ibid. This is also the ruling of the Chazon Ish. Bris Olam (Kotzer) is lenient for tiles.
23. Eglei Tal Kotzer 3.
24. Tal Oros Kotzer, Shu"t Beis Dovid
25. Shulchan Aruch Harav 336:12
26. Shivas Hashabbos (Kotzer 5) has a doubt as to their Muktzas status. See also Shaar Hatziyom 336:38 quoting Pri Megadim as having a Safeik.
27. Ketzos Hashulchan, Tehillah Ledovid 336:6

Moving pot plants on Shabbos & Yomtov

Rabbi Yonason Johnson

Two of the Melachos of Shabbos which are relevant in the pot plant discussion are *Kotzer* (harvesting) and *Zoreia* (planting). *Zoreia* refers to planting seeds but also includes any activity which facilitates plant growth as discussed below. *Kotzer* is the act of detaching something which was growing from the ground.

Halacha distinguishes between an עצי מנוקב a pot which has holes in it, and an עצי שאינו מנוקב, a pot which does not have holes in it. A pot which has holes in it is stricter and may present Torah prohibitions. Pots which do not have holes would only entail Rabbinic prohibitions and are therefore treated more leniently.

Picking from a pot plant

The Shulchan Aruch rules that it is forbidden to pluck a plant that was growing in a pot, even if the pot is not perforated¹. The Alter Rebbe explains based on the Gemora², that one who detaches from a plant in a perforated pot violates the Melacha biblically³. If the pot does not have holes, this action would be Rabbinically forbidden.

The presence of holes allows the roots of the plant to draw vitality from the ground. Therefore it is considered as though one were detaching from ground itself. Even a small hole is sufficient to qualify as an עצי מנוקב if it is large enough for a root to protrude⁴. The hole does not need to be on the bottom of the pot. A hole on the side would be problematic as well⁵. A hole which is situated above the roots does is not of consequence⁶.

Watering and enhancing growth

The Mishna Berura⁷ adds that just as one is forbidden to detach from a pot plant because of the Melacha of *Kotzer*, it is also forbidden to water a pot plant. Watering plants help them to grow and is a derivative of the Melacha of *Zoreia*, which includes any activity that fosters or increases growth⁸.

The Poskim discuss other actions which facilitate increased plant growth. Fertilising the soil is also an act of *Zoreia*⁹. Wiping dust from the leaves and straightening branches also constitute *Zoreia* according to some authorities¹⁰.

If any of these activities were done to a plant in a perforated pot which was sitting on the earth, one would be Biblically liable. If the pot was not perforated, it would nonetheless be Rabbinically forbidden¹¹. According to the Aruch Hashulchan¹², actions of *Zoreia* are Biblically forbidden even in non-perforated pots. The distinction between perforated and non-perforated pots only applies to *Kotzer*.

A more relevant scenario is opening up curtains or blinds where doing so would expose the

plants to sunlight. Direct sunlight is a key factor in plant growth and could constitute a form of *Zoreia*¹³. Opening a window which allows ventilation for the plant is also a potential issue of *Zoreia*.

If one's intention is for the plants to receive the light it is certainly forbidden to do so. Where one opens the curtains for light and air in the room, without intending to give light to their plants, the Poskim¹⁴ are generally permissive, even if the plants are growing in the ground itself. Whilst it is inevitable that opening the curtain exposes the plants to light (פסיק רישא), the effect of the sunlight is not immediately recognisable and no action is being done physically to the plant. This is in contrast to opening a window near candles where a prevalent wind would put the candles out and is thus forbidden.

Other Poskim¹⁵ are more stringent if the plants are in the ground or are in perforated-pots as this would constitute a Biblical prohibition - פסיק רישא דאורייתא. Harav Ovadiah Yosef¹⁶ writes that one should be Machmir if the pot plants are sitting on the window sill itself.

All of the above applies whether the pots are outside or indoors and even if the pot plants are in upper stories of a house or building¹⁷.

The status of different types of pots

Wooden and earthenware pots are treated with the same status as a perforated pot, even if they do not have any holes in them¹⁸. Ceramic does not prevent the plant's roots from drawing moisture from the ground¹⁹. Wooden pots become moist from the ground and therefore do not obstruct the roots drawing vitality from the ground²⁰.

Metal, solid stone and glass pots which are impervious, are deemed as non-perforated pots (where there are no holes). There is a dispute concerning plastic pots and the practise is to be lenient²¹. Concrete and tiles are treated like ceramic and therefore do not sufficiently interpose between the roots and the ground²².

According to some Poskim, where the branches or leaves hang or extend over the edge of the pot, these plants are considered attached to the ground, even if the pot does not have holes and is made of metal²³. Moving such plants would have the same Dinim as moving perforated pots. Other Poskim maintain that the overhanging branches do not affect the Halacha which is solely dependent on the nature of the pot²⁴.

Moving Pot Plants

A perforated pot may not be removed from the ground (where it is considered attached) and placed indoors on a non-pervious floor surface or on top of a chair or table surface (where it is now considered detached). This would be considered as *Kotzer Mideoraisa*.

Moving a perforated pot from a non-pervious surface (where it is considered detached) onto the earth or grass (where it is now considered attached) would constitute a Biblical act of *Zoreia* for the same reason.

If a perforated pot plant is hanging directly over the ground, it is still considered attached to the ground and able to draw nutrients from it. Therefore, technically, a plant in a perforated pot could be moved from hanging on a peg to the ground and vice versa as it remains "attached". Nonetheless, since this appears like uprooting and planting, it is Rabbinically forbidden²⁵. It is likewise forbidden to take a perforated pot that was on the ground and suspend it on a peg above the ground.

As these Halachos are complex and there is debate amongst the Poskim as to the status of various floor surfaces, pot plants with holes in them should not be lifted up or moved from one surface to another.

Dragging a perforated pot on the ground (in a manner that will not create a furrow) so that it remains touching the earth is permissible as it does not become detached from the ground at any point.

A non-perforated pot may be moved in all of the cases above as it is never considered attached to the ground. Therefore lifting the pot or moving it from one surface to another will not entail any issue of *Kotzer* or *Zoreia*.

Muktzah

Some Poskim consider living plants to be Muktzah even if they are potted²⁶. Other Poskim are lenient since the potted plants have the status of functional decorative items. Some Poskim²⁷ treat the plants as a כלי שמלאכתו לאיסור which means that they may only be moved if their space is needed or to use them in a permissible manner e.g. to make a Mechitza or as a decoration.

Even according to the opinions that pot plants are Muktzah, they may be moved כלאחר יד with a *Shinui* e.g. with one's foot, elbow etc. provided that there is no issue of *Zoreia* or *Kotzer* as per the discussion above.

If the pot plant tips and soil is spilled, the soil is Muktzah. Nonetheless if it is in a room which is being used and is very unsightly, it may be swept up under the leniency of גרף של רעי. The soil cannot be returned to the pot as this will present an issue of *Zoreia* as the extra soil enhances growth.

According to some Poskim, any pot plant which has fallen should not be picked up and reset as this may be a form of *Zoreia*.