

HOW TO BUILD AN EIRUV IN CROWN HEIGHTS

Synopsis of the rulings of the Alter Rebbe, the Tzemach Tzedek and the Rebbe regarding an Eiruv in a large city

Outline of an *Eiruv* for Crown Heights

By *Sholom Ber Shuchat*

INTRODUCTION

In recent months an Eiruv was built in Brooklyn, encircling Crown Heights. The Eiruv sparked much controversy and disagreement, both for being built against the directives of local Rabbis and due to the claim that the Rebbe was against building an Eiruv in Crown Heights.

Following the building of the Eiruv, certain Rabbis said that those who carry are *Mechalelei Shabbos b'mei'zid* and their wine is not fit for drinking.

Since there are many who are not knowledgeable in the laws of *Eiruvim*, specifically the laws of *Eiruvim* that are applicable to big cities, I summarized (in *Lashon Kodesh*) all the relevant laws from the *Alter Rebbe's Shulchan Aruch*, the writings of the *Tz'emach Tzedek* and letters of the Rebbe.

Additionally, in line with the Rebbe's directive to Rabbi **Gavriel Zinner** (in 5742/1982), that when an *Eiruv* is **already** built, there is an obligation to ensure that it is done properly, I present my recommendations of an *Eiruv* which can be built around Crown Heights, according to the rulings of our Rebbes (based on the summary above, with references to it).

After finding out which Rabbis supervised the building of the *Eiruv*, certified it, and checked it, and knowing them to be knowledgeable and scholarly Rabbis, I spent a few hours on Sunday, Sivan 20th, checking the whole length of the Eiruv, and I have found it to **be Kosher** according to certain opinions (which are used to build *Eiruvim* in other locations, including Anash locations), however it is not fully in line with the rulings of our Rebbes.

Since the *Eiruv* is indeed Kosher, it is clear that one who carried in this Eiruv is not a *Mechalel Shabbos (Ch"v)*.

Sholom Ber Shuchat

BUILDING THE EIRUV

a. Brooklyn is considered a city surrounded by walls from three sides (walls along the West & North banks of the East River, and walls along the southern beaches). Therefore, for a street to be considered a *Reshus Harabim* it must be open from both ends, **and** be in a relatively straight line (1:3). And even if we were to say that Brooklyn is **not** surrounded by walls, the *Reshus Harabim* still must be going in a relatively straight line from end to end according to the Tzemach Tzedek (*fn* 13).

b. Crown Heights itself is mostly surrounded by walls, from all sides, thereby allowing the building of wide *Tzurav Ha'Pesach* (3:4 and *fn* 36). Aside for the fact that most houses and buildings are very close to each other, or sometimes connected to each other, there are additional walls: **South** – on Clarkson from Utica to Albany and from Albany to New York there are hospitals with gates, which cover whole blocks. **North** – on Atlantic Avenue (from Bedford to Buffalo) there are the LIRR train tracks, which are beams and a roof on top of them, with certain areas blocked off to traffic. **West** – Prospect Park, on Ocean Avenue from Parkside to Empire, and then Botanical Gardens on Washington from Empire to Eastern Parkway. **East** – Rochester Park from Eastern Parkway to East New York. **5th Side** from East NY to Clarkson can be built along streets which are mostly solid.

c. Every corner along the borders of the *Eiruv* should have a diagonal *Tzurav Hapesach*, to ensure that it is visible to people coming from either side (3:7).

d. Eastern Parkway is not a *Reshus Harabim* because it is not relatively straight from end to end (more so, it begins in a dead end by the Evergreen Cemetery, on Vanderveer Street), however it is *Mefulasb* (open) to Flatbush Avenue, which might be seen as a *Reshus Harabim* for it is open from one end of the city (Manhattan Bridge) to the other end (Marine Parkway Bridge). However Flatbush

Avenue cannot be considered a *Reshus Harabim* because it has sharp turns along its route, and both bridges on both ends have a *Tzurash Hapesach*. Additionally, Manhattan Bridge closes every day for traffic in one direction, and Marine Pkwy bridge has some form of *Dlasos*, the toll booths which block people's free access. Therefore Eastern Parkway isn't a *Reshus Harabim*, but still there should be (3:6 and *fn* 40) both *Tzurash Hapesach* **and** *Delasos* (such as the "Eiruv Canisters" in Manhattan) on Flatbush Ave. where it touches *Eiruv* (Eastern Pkwy, Empire Blvd, Parkside or Clarkson).

e. The Jackie Robinson is *Mefulash* to a *Seratya* on its Northern end (entering Grand Central Parkway), however it is not a *Reshus Harabim* for it has a *Tzurash Hapesach* on both ends, and it has sharp turns. However, if you were to be strict that indeed it is *Mefulash*, then Rockaway Avenue is a *Reshus Harabim* for it connects to a *Seratya* on the South (Belt Pkwy) and the Jackie. And Atlantic Avenue is then *Mefulash* to Rockaway Avenue, making it a *Reshus Harabim*. This too isn't an issue, for Atlantic has a *Tzurash Hapesach* before getting to Rockaway Avenue.

f. Kingston Avenue is not a *Pelatya*, for it is not an **open air** marketplace, rather it is a pathway to enter stores which are a *Reshus Hayachid* (1:4). Additionally, it is *Mefulash* to Winthrop which isn't a *Reshus Harabim*, and it has a *Tzurash Hapesach* at Atlantic Avenue.

g. All Parks aside for Prospect Park are less than 5,000 sq. *Ammab* (2:5). Prospect Park itself might be considered *Hukaf L'Dirab* according to the *Tzemach Tzedek* (*fn* 29).

Therefore, it is clear that a *Mebudar Eiruv* can be built in Crown Heights, as long as the appropriate city authorities rent out the areas (*fn* 49). This is aside for the point that **no street in Crown Heights has 600,000 people per day** (not even Eastern Parkway), which is a requirement of the *Alter Rebbe* (As per the Rebbe's letters, see *fn* 19).

GUIDELINES

In various letters the Rebbe presented certain problems which can be caused by building an *Eiruv* (Section 4), therefore the following guidelines were made to avoid these problems:

a. Whoever uses the *Eiruv* should do so only in great need.

b. Whoever uses the *Eiruv* should study with his family the laws of carrying on *Shabbos*, especially those that are applicable to when the *Eiruv* rips.

c. Whoever uses the *Eiruv* should sign up to a warning system, which will send a message to his cellphone whenever the *Eiruv* is down. Also, he must call an *Eiruv* hotline every Friday to ensure the *Eiruv* is up.

d. Those who build an *Eiruv* should create an “*Eiruv* Fund” which will serve to pay the Rav who supervises it and those who check it weekly. Additionally, it should contain a reserve fund for fixing the *Eiruv* when repairs are called for. This fund should be maintained by whoever uses the *Eiruv*.

e. Every few blocks along the central Avenues (New York, Brooklyn, Kingston, Albany, Troy) there should be a screen which will alert people if the *Eiruv* is down during weekdays. Also, a person should be hired to go to all Shuls in case the *Eiruv* rips on *Shabbos*, to notify them, so that they announce it.

f. The *Eiruv* must be under constant supervision of a *Rav Moreh Hora'ab*, and those who check the *Eiruv* should also be under his auspices. The *Rav* should check the *Eiruv* twice a year, and test regularly those who check the *Eiruv*.

g. To prevent a situation that the *Eiruv* rips and becomes invalid, backup *Eiruvim* should be built along the areas that are prone to damage, to ensure that there is always a *Kosher Eiruv*.

h. The borders of the *Eiruv* must be clearly marked with signs saying “The *Eiruv* Ends Here.”