

Rabbi  
New York, NY

*Shalom u'Brachah:*

My brother-in-law, RSG, informed me yesterday of your desire to discuss with me, in the presence of your colleagues, the question of an *eiruv* for Manhattan. Although, because of the sanctity of *Chol Hamoed*, my correspondence is generally suspended during these intermediate days, I hasten to convey to you my views on this matter.

As you will surely recall, the matter was raised a few years ago, when I expressed my position, which has not changed. However, since I do not know if you are fully informed of it, I will reiterate the main points of my viewpoint relative to this matter:

*First of all*, as a matter of principle, my opinion is that where according to the *din* an *eiruv* can be instituted, it should be so instituted. This is based on the opinion of many *posekim*, including that of Admur Hazaken in his *Shulchan Aruch*.

*Secondly*, special consideration has to be given to the state of affairs and attitudes in respect to the observance of the *mitzvot* in the present day and age, which has a particular bearing on the problem under discussion. I have in mind the precaution which such an *eiruv* calls for under the best of circumstances, and certainly here and now, against the possibility of the *eiruv* becoming *pasul*. In the old days, when there was a close contact between the Jewish community ("the man in the street") and the *Beit Din* or *Rav*, the invalidation of the *eiruv*, and the consequent resumption of the pre-*eiruv* state of the prohibition against carrying on *Shabbat*, could be communicated fairly easily to the "man in the street" and no harm was done. Nowadays, unfortunately, the position is different. While the institution of the *eiruv* would quickly become common knowledge, not only through various media of communication but also by word of mouth, the rescinding of it in case of its invalidation would only reach those who are in contact with the Rabbinical authorities, or who attend the synagogue regularly; whereas many would remain in ignorance of the changed situation. Moreover, those who might get into the habit of carrying on *Shabbat* on the strength of an *eiruv*, might not so readily discontinue doing so even if they became aware of the breakdown in the *eiruv*; and this contingency is particularly to be considered in relation to the Jewish youth in this country.

In view of the above, it is an absolute necessity, in my opinion, that the *eiruv*, if one is feasible at all according to *din*, should be carried out in the utmost secrecy. This means that the purpose of the *eiruv* would be not to enable a Jew to carry his *talit* to *shul* on *Shabbat*, but only to relieve those who already

transgress the *Shabbat* by carrying things from doing so *b'Issur* (under prohibition).

*Thirdly*, and this too is an essential point in my position: the opinion expressed in the first conditional paragraph, namely, that where an *eiruv* is permissible according to the *din* it should be instituted, is based, of course, on the general principle indicated above. However, it expresses no opinion regarding any particular place, such as Manhattan in this case, as to whether or not it indeed qualifies for an *eiruv* according to the *din*. This is a matter to be decided by the Rabbinical authorities who have thoroughly investigated the pertinent details in full accord with the *Hilchot Eiruvim*.

*Fourthly*, assuming that it be agreed that the *eiruv* should be instituted without publicity, as above, the question may be asked whether it would be warranted to follow the more lenient view of some *posekim* regarding the qualifications of the place, in order to remove the transgression of those who carry in any case (inasmuch as the *eiruv* would not be intended to induce *Shabbat* observers to carry on *Shabbat*). However, this would not be right, in my opinion, for two important reasons: a) a *Rav*, or Rabbinical authority, should always act only in strict adherence to the *Shulchan Aruch* in every detail, and b) it is inevitable that the existence of an *eiruv* would not become known to limited circles, with the result that some individuals would be tempted to accept it on its face value, especially in this country, where there is a strong tendency to find *heterim* and make religious observance more "convenient." Hence, it is my considered opinion that not only should the *eiruv* be done in the utmost secrecy, but that it should be done only if the place strictly qualifies for it in accordance with the *din*.

May I take this opportunity to extend to you and yours my prayerful wishes for a continued kosher and happy *Pesach*.

With blessing,

By reason of *Chol Hamoed*, this letter is left unsigned.