

PREFACE

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SHIAH T. DIRECTOR

The Validity Of An Erev In A Large City

By Rabbi Shiah T. Director

In the past issue of the J. P. there was an advertisement explaining the fact that there were Eruvin in large cities. It also noted the names of these cities and great rabbonim that sanctioned these Eruvin. Being that this advertisement appeared in the J. P. it is only proper to elaborate a bit on some of these names and facts so that your readers will have a clearer picture of the subject matter at hand. Most of the readers of the J. P. might never have heard of these great personalities nor about important facts concerning these Eruvin. The following words will shed some light on this subject.

First; the Eruv in New York City. This Eruv was approved of by five leading rabbonim of that generation including the Rov of New York, Rabbi Yhoshua Seigel. He wrote to leading Rabbonim in Europe for their opinions. His letter, stating the halachak validity of an Eruv in New York and their answers were published in the year 5667 (74 years ago) and most recently republished by the undersigned. This Eruv existed for many years.

One of the great Rabbonim that approved of this Eruv was the Mahrsham (Rabbi Sholom Mordechai HaCohen Shwadron), author of the well known seven volume Shailas and Tshuvos (Responsa) Marsham on all questions of Jewish Law, Das Torah a commentary on Orech Chaim, and many other well known works. He was well known as one of the great poskim of his genera-

tion, which boasted of such Torah giants as Reb Chaim Berlin (he also approved of an Eruv in the large city of Odessa Russia which had more than 600,000 people and the gedolim of Y'rushalaim agreed with him — Tiiv-Yhoshua P5), Reb Yitzchok Elchonon, and others, too numerous to mention here. The other gedolim, true gedolim, who approved of the New York Eruv were also well known, and authors of many scholarly works. Any student of Torah who studies their great works sees their greatness. Even if one only studies their responsa in the aforementioned work concerning the New York Eruv, he sees their greatness at once.

No One In Our Generation Comes Close To Any One Of These Great Gaonim In Clearness Of Thought, Understanding, Depth and Complete Knowledge Of The Talmud And Poskim. For They Were Known Torah Giants In A Generation Of Torah Giants.

In Responsa Tirosh V' yitzhor there is also a letter concerning the New York Eruv (Responsa 73). He states that he went through, and discussed the question of the New York Eruv with his 'Michutin' hagoan Reb Yoseph Levenstein, who was the well known Rov of Seretsk, and they also approved of this Eruv. In this responsa he notes that his father-in-law, Hagoan Reb Shmuel Avigdor Ha'levi, permitted an Eruv in an area where the roads to Warsaw, Petersburg, Bialistock, come together, and the com-

bined number of people on these roads were a few million. We now have another three opinions that state openly that Eruvin are permitted in areas where there are more than 600,000 people. And two more opinions ruling on N.Y. directly.

It is a well known fact that there were more than 600,000 people living in New York at the time this Eruv was established. And this fact is discussed openly in these responsa. There were a few million people living in New York 74 years ago and the whole time that this Eruv existed.

The New York Eruv ceased to exist when one of the boundries were removed by the city (the 3rd Avenue elevated line). Rabbi Seigel had by that time passed away and nobody else was interested in making a new Eruv. The fact is, however, that it was there, used, and approved of by the greatest gedolim of that generation.

Second; Warsaw, Poland: we do not have to elaborate upon this well known fact that an Eruv did exist in the capitol city of Poland which had a population of many million people. The validity of this Eruv was never questioned and was used until the Jewish population of this great city was

destroyed. It is an insult to all the gedolim of Poland and to the Kedoshim of Warsaw to question the validity of this Eruv.

Paris, France is the third city that we will discuss. An Eruv was never established there, however, before the second world war plans were made to establish one. Reb Chaim Ozer of Villna, the world renowned Torah scholar (who was chosen for this position, one of the most prominent in Europe, at the young age of twenty five because of his greatness in Torah and who was known as the supreme authority on Jewish Law in a generation which boasted of great Torah Scholars like the Chofetz Chaim, Reb Meir Simchah, Reb Boruch Ber (Reb Aron Kotlers Rebbi) and others that are well known to all) was consulted concerning the Paris Eruv. He wrote a letter to the Chazon Ish, who was then living in Eretz Yisroel, and asked him to render a decision on this Eruv. And together with the Mashgiach of the Eruv in Villna (a godel B'Torah) and the Chazon Ish, Reb Chaim Ozer approved of an Eruv in Paris, France. Their decision was that Paris needed no Eruv at all on three sides because it was surrounded by water on all three sides.

The fourth side needed an Eruv (Tzuras Hapesach) and the bridges needed one.

It is well known that Paris had millions of people living there at the time this decision was rendered. The fact that there were over 600,000 people is mentioned in Reb Chaim Ozers letter. This letter was published in Hapardes, Hanoam, Hanoam in the year 5722, and most recently by the undersigned, together with the responsa concerning New York.

The head of the Beis Din in Warsaw, Poland was also consulted, and he agreed with the above decision. His letter is also published in the aforementioned works.

Because of the war, the Eruv in Paris was never established. But, it was approved of by these great Torah Giants without any question or doubt. Their reasoning applies to Eruvin in other large cities as well. And, their responsa are open, clear, and available for all to study.

Amsterdam is next. For many years there was an Eruv in Amsterdam. The Amsterdam Eruv dates back hundreds of years. And is discussed by leading 'poskim' in their responsa. Due to the war the Eruv ceased to be in use. However, recently, this city's Eruv was again established with the approval of: Hagoan Reb Shmuel Wozner, foremost posek in Bnei Brak, Rov of Zicron Meir and Rosh Yeshiva, author of famous works on halachah; Harav Hagoan

Reb Yisroel Yaakov Fisher, member of the leading Beis Din of Yerushaliam, the Edea Ha' Charades, (which the Satmer Rebbie of blessed memory headed until his passing last year); Rabbi Pinchus Hurshprung, leading scholar of our generation and Rav Av Beis Din of Montreal, Canada; Horav Hagoan Chanoch Dov Padva, Av Beis Din of London, England.

It is well known that Amsterdam has a population of over a million people. The question of permitting an Eruv in an area where there is over 600,000 people is discussed in the responsa written by the aforementioned Gedolim. These responsa are printed in Hanoam volume 21.

I hope that these few words will help shed light on a subject that has been clouded for some time. May the true light of Torah shine through into our troubled world and in this Zechus may we all be granted the light of true wisdom and understanding, the light of Hashem, with the coming of Moshiach. May this year bring us true understanding of Torah and its Values and in this Zechus we will be Zoche to a Year Of Redemption.

Shiah T. Director

Fate

There are two types of men: One who is first-rate and fate made him last; the other who should be last, and fate put him first
(Moses ibn Ezra, Shirat Yisrael)

The Eruv In Toronto, Canada

By Rabbi Shiah T. Director

About fifty five years ago an Eruv was established and validated for the city of Toronto, Canada; under the supervision of the renowned Gaon, author of many works and Rabbi of that city Reb Judah Leib Graubart, who in the year 5661 (1901, eighty years ago), published the first volume of his well known work Chavalim Ba-Ne'Imim, and even though he was a young man, received letters of praise and approval (Haskamos) for this work from famous Gedolei Hador. The author of the Sede Chemed, Rabbi Chaim Hezekiah Medini, (his encyclopedic work comprising eleven volumes is well known and used by all students of Torah), says in his letter (printed at the beginning of the first volume) of Chavalim Ba-Ne'Imim: since I came to Eretz Yisroel I have made it a practice not to give any 'haskamos', however in this case I will make an exception; he goes on to say among other things: in reality your work does not need any 'haskamos' from the Gedolei Ha'dor for the vast wisdom contained in your work calls out to all, and all can see the greatness of this work. He also received a 'haskamo' from the Gaon of Lomza, author of the well known work Devrei Malkiel, who writes: "Eventhough I have avoided giving 'haskamos' on 'seforim', for a great person, I have made this exception". He also has a 'haskama' from the great Gaon, Reb Chaim Berlin. He was then the Rabbi of Makow in the province of Lomza, in Poland. When the second volume appeared the author was the spiritual leader of the Jewish community Staszow, in the province of Kielce. There his responsa are clearly addressed to the leading rabbis of the time.

Later he became Rov of Toronto, Canada. One of his first tasks, after becoming rabbi in that city, was to establish an Eruv there.

He wrote a tshuva, which is almost an encyclopedia on the 'halachik' basis for making an Eruv in Toronto. He sent this tshuva to leading Rabbonim of his generation. His tshuva cites all source material that was available to him, even various Rabbinical Journals. 'Seforim' that were not available for him were transcribed by Rabbonim in Europe who had these 'seforim' and these transcripts were sent to him, as stated in his tshuva. In this tshuva he thanks the Rabbonim who made these seforim available, so that he could fully understand the question at hand, see what all the Gedolei Hadoros said, and render the proper decision.

This is how Gedolei Hador from previous generations rendered decisions. They did not comment on any subject until they knew all the sources available, for if one lacks knowledge of all source material, he lacks knowledge of the subject matter at hand. They also sent their decisions to other Gedolim for their opinions before rendering a final decision.

One cannot simply disregard all the Gedolim from previous generations, and those living, when making a decision on a halacha and still make the proper decision. One is bound to err if he does this.

Rabbi Graubart, in his responsa, also cites the decision rendered by Gedolei Hador concerning the Eruv in Manhattan, and comments on some points stated in their responsa (Eruv V'hotzah responsa concerning the Eruv in Manhattan published in 5667 and republished recently by this writer).

One of the Gedolim that answered him was Reb Eliyahu Klatzkin the Rov of Lublin. Reb Eliyahu Klatzkin was a genius of rare quality that one does not find in every generation. He was one of the only Rabbonim relied upon for 'heter agunas' (when a womans husband does not return from a war or a long trip and there is a question if he is still alive and the woman wants to remarry) after the war. He was the author of many works on halacha, (it is a shame that they have not been republished recently) and was known as one of the outstanding Gedolim in a generation of outanding Gedolim.

His son relates that his father Reb Eliyahu, knew many languages, how? (no he didn't attend the school of languages of a leading university), his sharp mind was constantly working and when he was engrossed in learning Torah he could not sleep, in order to get a few hours sleep to preserve his frail body he was forced to stop learning Torah, but his keen mind kept working, he was unable to sleep, therefore he read a dictionary for a few minutes to keep his active mind off learning Torah, only then did he fall asleep. (For many of us a 'blatt gemorah' is the easiest way to fall asleep, but not for Reb Eliyahu). He read many dictionaries from different languages and in time was well versed in them.

Sometimes, he used to study maps and was well versed in geography. He knew the cities of every country in the world. And, even the New York subway map. His son relates that after returning from a trip to New York he visited his

fater in Lublin. His father asked him about his trip, he told him where he went and what he saw. His father asked him how he went to a certain place, to which he replied: "by subway". Reb Eliyahu asked: "which subway did you take". His son answered that he took the "D" or "F" train (whatever the case might have been). Reb Eliyahau (who was never in N.Y.) promptly replied: "you took the wrong train, you could have reached your destination faster and easier by taking another train", and promptly explained which train (or trains) he should have taken. After looking at the N.Y. subway map he saw that his father was right. Reb Eliyahu did not try to memorize languages or maps, he tried to relax his most active mind, in order to get some sleep but his sharp mind retained everything that he read, without trying to memorize it. The above is mentioned so that the reader will realize, somewhat, the greatness of the Gedolim of the previous generations. Understand now, somewhat, his greatness in Torah which he studied constantly, did try to memorize, understand and expound to others.

Reb Eliyahu Klatzkin, Reb Shlomo Dovid Kahana of Warsaw, and other Gedolim agreed with Rabbi Graubart's proposed plan for the Eruv in Toronto. Many Gedolim in America also helped him in working out his plans for this Eruv as stated in the third volume of his well known work Chavalim Ba-Ne'Imim. His responsa concerning this Eruv, and the responsas of the Gedolim of his generation concerning same, are printed in the aforementioned volume. This work was recently republished by Feldheim Publishers Ltd.

The Eruv in Toronto, Canada was later established, validated, used for many years.

However, in time the Jewish population of Toronto shifted. The Jewish community no longer lived within the boundries of this Eruv.

Rabbi Avraham Aharon Price, who was by then Rabbi of Toronto, was asked by the Jewish community to construct a new Eruv that would service them in their new neighborhood. In the year 5711 (thirty years ago) he published a detailed responsa in the Rabbinical Journal HAPARDES stating the halachik basis for establishing an Eruv in the new neighborhood. He states therein that the new Eruv he plans to construct is 'halachicly' sounder than the one that Rabbi Graubart made, for due to the shifting of the population better natural boundries were made available, which can be used as part of this Eruv, and due to other reasons, explained in his responsa. He states that he is printing this responsa in Hapardes to enable the Gedolei Hador again to review this matter and if they have any comments they should let him know before he establishes the new ERUV.

"I hereby beseech, in every term of request that is known from my teachers, rabbis, the great rabbis, and all 'talmidei chacamim' to study this 'kuntris' (small booklet, his responsa) and if they find something that is not 'halachicly' correct to please let me know their reasons, because, this is the reason I am publicizing this 'Kuntras' in Hapardes, before I start to establish and validate the Eruv in my city" (Rabbi A. A. Price Hapardes Teves 5711).

Last year I wrote Rabbi Price a letter stating that I am studying about Eruvin and came across his responsa in Hapardes 5711, and would like to know if anyone answered him. He replied that he only received two responses, one from Rabbi Hertzog and another from Rav Uziel, the Askkanazik and Sefardic Chief Rabbis in Eretz Yisroel, respectively. They both agreed with him. (While moving to another neighborhood he lost the postcards with their responses.) Besides this no one ever answered him. He commented upon various points in 'halacha' and stressed the great 'mitzva' of making an Eruv.

It is worthy to note, however, that there was a comment on his responsa in a later edition of Hapardes. However, the writer, eventhough he disagreed with a point, mentioned in Rabbi Price's responsa, nevertheless agreed with him 'I'halacha' (his decision was correct) and stated that there was no need to mention this point for the establishment of an Eruv is permissable in Toronto without expounding upon this point. Rabbi Price contended that people in automobiles cannot be considered as part of a public domain for they are in a private one while riding in the automobile. (He elaborates upon this in his responsa.) The Rabbi who commented in Hapardes did not think that his reasoning was valid, however, due to the fact that Toronto is surrounded on three sides by water (lake Ontario and the River Dan) it is not a public domain. For according to Jewish Law natural boundries of water are valid boundries. Therefore, construction of an Eruv, as Rab-

bi Price had planned, on the fourth side was permissable, in any case. (Rabbi Price also stated this reason: but added the aforementioned reason.)

The Eruv in Toronto is standing, and being used until this day. And, it is well known that a few million people live in Toronto. This is also stated in Rabbi Price's responsa. Gedolim could comment on this point. They didn't comment.

The Eruv In Big Cities

By Rabbi Shiah T. Director

We have shown conclusively that the consensus of opinion of Gedolei Hador for the past hundred years has been that Eruvin may be established in large or small cities regardless of the population. This unanimous opinion is based upon the Talmud, and Shulchan Aruch and leaves no room for dispute.

Before continuing, it is only proper to mention the great monumental work of Rabbi Aaron Yudilevitz, Beis Av. This work, in this writer's opinion, is one of the best on Eruvin. His clarity, depth and style of writing is unequalled.

Safer Bais Av is comprised of many volumes of responsa on various subjects. However, the author devoted a complete volume to the subject of Eruvin. This volume contains responsa about an Eruv in Manchester, England, where the author was a Rov. He discusses almost every aspect of Eruv construction. From the 'MITZVA' of establishing Eruvin in large cities, to practical problems concerning its' construction. He cites almost all opinions, discusses them in detail, comments on them, and renders an absolute decision that it is an obligation to establish Eruvin.

This work was only published once by the author (62 years ago). What a shame that this great work has never been republished. Understanding depth, light and vision, would shine upon the world if this great work were readily available.

In our generation, saforim have been forgotten; words of Gedolei Hadoros have been forgotten; toil and sweat nights and days of Gedolei Hadoros to clarify a halacha have been forgotten; their greatness and genius have been forgotten.

Therefore, it is enough to advertize an 'isser' in a newspaper or pass out leaflets to impress upon the un-knowledgeable public the whims of other uneducated people. Seforim from Gedolei Hadoros, who shined and lit up the universe with their holiness and vast knowledge and understanding of Torah a hundred years ago, are discarded and replaced by a leaflet written by someone who does not know what he is talking about.

It has even been said by some that one must completely disregard the opinions of the GEDOLEI HADOROS of the past generations. Like Reform and Conservative Rabbis, they contend that we must not follow tradition. This is a new generation. We are living in America, and America has a new Torah to follow. We cannot, and must not follow the old Torah dictated by Gedolim of a hundred years ago. Woe to the ears that hear this!

They say that we must not even study the works of these great Gedolim of a hundred years ago. For newspapers, leaflets, hearsay and lies have already told us what the halacha is. Woe! I have been criticized by many for publicizing the words of the holy M HARSHAM, DIVREI MALKIEL and other GEDOLEI HADOROS on Eruvin. Lies are better!? Heresy is better!? Leaflets are better!? Woe to us!! Torah values have sunken to such a level. Woe! Woe to us that a few uneducated are dictating Torah policy. And advertizements, and announcements are 'paskining shalos'.

Woe to us! Torah toiled upon by Gedolei Hadoros from past generations is simply disregarded as if it never existed, and replaced by a "new Torah". G-d forbid.

"I have learned from experience; in our country that has multitudes of Jewish people living here along with Rabbonim Gedolim who are truly G-d fearing that all the activities of Rabbinical Groups (Agudas Harabonim) are done by any secretary and clerk and they do not take into consideration at all the wishes of the heads of the organization and many times they do things just the opposite of their wishes and I do not want to elaborate here in detail."

Chaim Ozer Grozinsky

(letter 3, published at the end of "Letters of the Chazon Ish")

We will try to explain briefly some halachack concepts of Eruv. It is understood that the following words are not a complete explanation of this vast subject. However, these few words will help clarify some misconceptions that many have about Eruvin, due to being misinformed or not having any knowledge of the subject to start with.

One cannot carry in a public domain (Reshus Harabim) on Shabbos even if there is an Eruv. For the concept of Eruv is not applicable in an area where it is forbidden to carry according to Torah law.

The rabbis decreed, however, that in any public place where it is not forbidden to carry according to Torah law an Eruv must be made in order to permit one to carry there.

Therefore, before establishing an Eruv, one must determine if the area where the Eruv is planned is a public domain (Reshus Harabim) according to Torah law or if it is not a public domain according to Torah law.

There are many laws concerning this. We will cite a few.

There is a question: do 600,000 people living in a city or traveling on various streets in this city make this city a public domain (Reshus Harabim) according to Torah Law: or, must 600,000 people pass on a given street in order for it to be considered a Reshus Harabim according to Torah Law?

The answer is: the fact that 600,000 people live in a city or travel on different streets in this city does not make it a Reshus Harabim. This is the ruling of the Shulchan Aruch (Orach Chaim 345).

Since the codification of the laws of the Torah into what we now call the Shulchan Aruch this has been accepted as an absolute fact by prominent Torah scholars in all generations. And, this ruling has been considered binding as with almost unanimous approval as discussed in the many sources cited previously and many other sources that we did not cite.

Hardly anyone has questioned this valid fact for over 400 years. Which we will repeat again: 600,000 people must pass on one street; this street is then a public domain (RESHUS HARABIM) Residents of a city cannot be counted as part of a RESHUS HARABIM (even if they number 100,000,000 or more) if there are not 600,000 people in one place * together; or, there are not 600,000 people passing on a street in one day, eventhough they are not passing at one time.

It is the opinion of this writer that people in automobiles cannot be considered as part of a RESHUS HARABIM (Rabbi Price, cited [before] this in his responsa.) Which is based upon opinions rendered by GEDOLIM MEFORSOMIN (famous sages) of previous generations such as: Reb

Yhoshua of Kutna, the Mharsham and others. However, in reality, this question is only academic. For even including automobiles, 600,000 people do not travel on any one street in one day, in large cities.

For example, on the main street of Brooklyn, Ocean Parkway, only 60,727 automobiles travel on a given day, and there are 91,090 occupants in these automobiles. On other streets there are less people traveling. On the Belt Parkway there might be more, but not a total number of 600,000 people in these automobiles. And, remember, that most of the people using these highways in one direction return in the other direction. Obviously, one cannot count the same people when he counts the 600,000 people needed for a Reshus Harabim. So, therefore, the number of people traveling even on main highways in large cities is much less than 600,000.

The aforementioned is only academic. For there are other factors that must be considered in determining if a given area is a Reshus Harabim, which we cannot discuss here and now. Therefore, hypothetically speaking, even if there were a possibility that 600,000 people (different people), traveled in automobiles on any main highway in any large city in one day, and even if we consider people in automobiles as part of the Reshus Harabim (which is only a minority opinion) there are other reasons to rule that highways in many large cities are not Reshus Harabims. One of the reasons we have already mentioned before: most large cities have natural boundaries, rivers, lakes, oceans, hills, mountains, and, man made boundaries: fences along most highways, walls, and in general many other valid boundaries that

take them out of the class of Reshus Harabim according to Torah law even if there were 600,000 people passing on one street in one day, which is not the case, as aforementioned.

Anyone disputing these facts, is disputing the ruling of the Shulchan Aruch and the opinion of GEDOLEI HADOR for the past 400 years.

There are various other opinions concerning what makes an area a Reshus Harabim, however, these opinions were not accepted by Gedolei Hadoros as binding and therefore we will not mention them here. We have only strived to elaborate upon the ruling of the Shulchan Aruch that is binding according to the dictates of GEDOLEI HADOROS, who have paved the way for us in all phases of Jewish Law and practice.

Once it is ruled that an area is NOT a Reshus Harabim it is permissible to construct an Eruv there, not only permissible, but an obligation and MITZVA.

Noach Dear
District Manager
Community Planning Board No. 12
4613 Eighteenth Avenue
Brooklyn, New York 11204
Dear Mr. Dear:

Nostrand Ave. Marine Parkway
Total vehicles both directions 16,250
Occupants — 22,750
Coney Island Ave. Church Ave.
Total vehicles both directions 21,000
Occupants — 29,400
Coney Island Ave. Desmond Ct.
Total vehicles both directions 24,000
Occupants — 33,600
Ocean Parkway Church Ave.
Southbound 19,754
Northbound 18,234
Total 37, 988
Occupants 56,982
Ocean Parkway Avenue U
Southbound 33,996
Northbound 26,731
total 60,727
Occupants 91,090

I hope this is the information you require. If any additional information is required please feel free to contact me.

Very truly yours,
Joel J. Stahl
Assistant to Commissioner
NYC Dept of Transportation
40 Worth St.
N.Y.C.

The Facts About An Eruv

By Rabbi Shiah T. Director

In colleges it is taught that man descended from apes. And, as civilization evolved man became wiser. Even among those in the secular world who believe in creation and a Creator, the trend of thought is that man has improved over the generations. He is broader minded and more intelligent than previous generations. Science has made great strides in the past hundred years and the world has changed in these past hundred years more than in any other period in the history of mankind. We are now living in the jet and computer age. There is a new world before us that man created because he is more advanced than his predecessors. As these thoughts evolved over the past hundred years with the advancement of science, many Jewish people went away from the Torah. For these ideas were the beginning of a trend of thought that Torah is also — G-d forbid — out-dated. They said: We are more intelligent than our forefathers, we are living in a modern world. Why do we have to follow an old out dated Torah? This wave of secularism that spread to the masses, paved the way for the Reform and Conservative movements, and the general trend to leave the teachings of our holy Torah.

However, in reality the greatest event in the history of mankind was the giving of the Torah to Klall Yisroel thousands of years ago; and this event was truly the start of a new era of understanding. The Almighty revealed his ultimate wisdom to mankind. This was the reason for creation. During the winter months we read the story of creation, the Avos, and the Exodus from Egypt which were all a preparation for the giving of the Torah

The universe the complete cosmos prepared itself for this great event. (Chazal tells us that if Klall Yisroel had not accepted the Torah they would have been destroyed.) All of mankind prepared for this event. And the Torah was given to his chosen people Klall Yisroel.

The mission of Klall Yisroel is to preserve Torah as it was given on Har Sinai. Not to change it. Not to alter it. Not to add to it. Not to subtract from it. Torah, the ultimate wisdom of the Almighty, is not subject to change just as the Almighty is not subject to change.

When an attempt is made (G-D forbid) to change the Torah, an attempt is made to change the Almighty (G-D forbid). This is impossible. For they are One.

Torah was given to us to observe, study and understand. "A novel, new, fresh explanation of Torah law and concepts is defined as: deeper and better understanding attained due to diligent study. As it is written: the more one works with Torah he finds reasoning. And, when one reviews Torah constantly, novel reasons and explanation become clear to him. (Kesser Rosh 56)

Novel, new, fresh explanations of Torah are defined three ways: (1) If they are novel, new, fresh, explanations for this person now, however, they are in reality old explanations that someone else had already said. (2) They are in reality nothing new, however for the general public they are something new and unknown. (3) Or, these were explanations that were forgotten and explained later to revive them. (Midrash Talpious cited in Ohalei Chaim, Ibid.)

Torah is not subject to change. Depth, insight and greater understanding are

rewards for diligent study and constant review of Torah. This is Chidushe Torah there is no new Torah. One only attains deeper understanding of it as a reward for his toil and diligent study. Fabrications of ones imagination, although seeming logical are not part of Torah.

The Torah was given to those who ate Manna from heaven Klall Yisroel was completely engrossed in the study of Torah. They had no worldly obligations to distract them. And, they had the best of all teachers to explain the Torah to them, Moshe Rabenu, who received Torah from the Almighty. One of the basic principals of our faith is that there will never be a prophet like Moshe Rabenu.

After the passing of Moshe Rabenu, Yhoshuah instructed them. During Yhoshua's lifetime Klall Yisroel was busy with conquest of Eretz Yisroel. They no longer were sustained by the Manna. They no longer had Moshe Rabenu as a teacher Torah was forgotten.

As the generations went on more Torah was forgotten. Future generations did not even have Moshe Rabenus prize student to instruct them. More Torah was forgotten.

The Talmud that was later written is only a minute portion of the Torah that was revealed to Moshe Rabenu. In the Talmud we find disputes on various laws, Moshe Rabenu did not receive a Torah with disputes. He received a complete clear and perfect one.

There were always yeshivos. Klall Yisroel always studied Torah. They had prophets to instruct them. But, not Moshe Rabenu. More Torah was forgotten. Later disputes

arose on various laws. Torah was not understood as before.

After the destruction of the Bais Hamikdosh (may it be rebuilt in our days) Klall Yisroel became dispersed. There were also yeshivos. But, they were not the same as the yeshivos that Klall Yisroel had when they were in Eretz Yisroel, which were headed by the great prophets and sages. More Torah was forgotten.

Torah study and understanding has been on a downward trend since The Almighty revealed his Torah to Klall Yisroel. Understanding of simple laws and concepts have been forgotten. What was an obvious fact in previous generations is a matter for dispute in our generation. We do not even have the great Torah Giants of pre-war Europe to guide us. We are in a generation that cannot even picture what a Godel B'Yisroel looked like a hundred years ago. Let alone understand the greatness of Gedolim of two hundred years ago, more so, what the Reshonim were. Chazal, Nvieim, are just terms to us, we cannot even slightly comprehend their greatness.

However, in spite of this due to secularism which has crept into the Bais Midrish, due to "Goyishe" concepts that man has become smarter than his predecessors, there is a trend nowadays to completely dissolve the concept of Eruvin: the words of Reshionim and Achronim who toiled a lifetime to formulate these laws into practical application; and the Torah of Moshe Rabenu to whom these laws were revealed on Har Sini by the Almighty.

Some so called Bnei Torah whose knowledge of Torah consists of possibly, twenty pages (blatt) of a few mesectas, have never studied Mesecta Eruvin or its' laws in the known codes, let alone Reshonim and Achronim on this subject are waging a

"holy war" against our Holy Torah which contains these clear cut laws. Basing their war on statements in a contemporary work and letters by this same author that they neither studied carefully or are capable of understanding and adding illusions, fabrications and lies, they continue their evil battle.

The author of this work did not say that one should battle or impose his views, but, merely stated an opinion. And, more so, in an open letter, (letters) stated clearly that his views are not in accord with the halacha stated in the Shulchan Aruch: stated, that most of the Reshonim disagree with his views: stated, that none of the Achronim agree with him: stated obviously, that if one chooses to follow other views, the majority of the poskim, he may do so; stated, obviously, that his is a minority view: and, even though he did not state so in an open letter, it is obvious that this is not a matter to fight about; and, stated, many times publicly and privately that he abhors all strife on this or any other matter.

Had he not stated all the aforementioned openly it is nevertheless, obvious. One who studies the subject clearly sees this.

In view of all this, some so called yeshiva students and rabbonim have been and still are, waging a so called holy war against Eruvin. It is obvious that something has been lacking in the training of these students and Rabbanim. Yeshivos have failed to instill in them proper understanding of Torah values. Where is intellectual honesty? Where is the desire to seek the truth? The will to admit it? The desire to "toil in Torah" and understand it?

We call, therefore, to all Yeshivos to strengthen the study of Musser (ethics) in all Yeshivos, to add a Musser seder if they do not have one; and better yet add two Musser Sedorim, in all yeshivos.

In our generation, Torah values have run rampant; "Goyeshe" concepts have crept into the Beis Midrish, chaos is evident even between the Coslei Bais Ha'Midrish (in the study hall).

A new evaluation and strengthening of Torah values is needed.

In this Zchus we will be Zoche to understand Torah and the light of Torah will shine with the coming of Moshiach.

In the light of the aforementioned, we would like to elaborate a bit on some of the laws and concepts of Shabbos and Eruvin.

All laws of Shabbos are founded upon the concept that since they were commanded to the Jewish people when they were in the desert the qualifications of Torah law prohibitions must be akin to circumstances there. This concept is derived from passages in the Torah and elaborated upon in the works of the Talmud (mainly Tractate Shabbos) and its commentaries.

Due to the fact that the Torah openly states that there were 600,000 males over the age of twenty in the desert at the time the Torah was given: And, at this time the Jewish People were commanded not to carry from one domain to another, (along with other laws of Shabbos,) most commentaries maintain that an area is not a public domain unless 600,000 people are there. For when the Jewish people were in the desert 600,000 were there. There were more people: children, women, and others that were with them, but we can only count 600,000 people for this is the only number stated openly in the Torah and we do not have any other guide to go by.

Other commentaries maintain that an area is a public domain even though 600,000 people are not there. However, we generally abide by the ruling that 600,000 people must be in an area if it is to be classified as a public domain (Reshus Harabim).

The question of 600,000 was discussed extensively by the Mishkanos Yaakov and the Bais Efram, two of the greatest Gedolim that lived about 150 years ago. The former, (a student of Reb Chaim of Volozin, who was a disciple of the Gaon of Vilna) maintained that 600,000 people are not needed in order for an area to be a Reshus Harabim according

to Torah Law. According to his opinion most of the Eruvin standing then in Europe were invalid. For if you do not need 600,000 people any open public place is a Reshus Harabim according to Torah Law. Therefore, one cannot make an Eruv there as aforementioned. The Bais Efram, in an involved halachic discussion maintained that the custom of Klall Yisroel was correct and all these Eruvin were valid; for there must be 600,000 people in a given open area in order for it to be a Reshus Harabim according to Torah Law. Responsa between these two Torah Giants were exchanged. Torah was discussed, elaborated upon and new literature evolved, thereby lighting the way for future generations, and understanding of the Torah was advanced. (Today if a problem exists concerning Eruvin an advertisement is placed in a newspaper or leaflets are passed out. Woe!)

The poskim have agreed that the view of the Bais Efram is correct. The Aruch Hashulchan states (O.C. 345) that it is as if a voice from heaven came out and said he was right, for Klall Yisroel is using these Eruvin. The poskim also state that if one should find other reasons to rule that an area is not a Reshus Harabim they can be relied upon to insure sanction even according to the other opinions, The Mishinos Yaakov.

Rabbi Menashah Klein, author of the great eight volume work Mishna Halachos and other famous works, in a recently published ruling, found eleven reasons to conclude that we do not have a Reshus Harabim in large cities. Therefore, even the Mishkinos Yaakov would agree that it would be a Mitzva to construct and maintain an Eruv. Even though, he maintains that less than 600,000 people in any open public area make this area a Rishus Harabim, he would agree with the reasons cited therein; and, would maintain that there is no Reshus Harabim in large cities.

Rabbi Kleins responsa on this subject is a source of enlightenment and inspiration. This responsa was shown to leading Rabbonim before publication, no one was able to disprove what he said. He also discusses other minority opinions and clearly shows that these opinions have no basis in halacha.

His responsa is open to all. His door is open to all who might wish to question him personally and discuss the matter. His phone is open to all who wish to call him and discuss this matter. He is willing to answer and discuss this matter with anyone who has a sincere desire to learn and understand. Many Bnei Torah have come to see him.

However, many of our so called Bnei Torah are only interested in yelling "OSSER" "OSSER". No one of the "Isser Yellers" has come to see him; and, no one has been able to disprove what he says. They just yell like idiots.

Isn't there something radically wrong with our yeshivos. Torah is supposed to teach us to think logically, pursue knowledge and understand it. And, to make every statement make sense and have meaning.

We are producing a new breed of Ben Torah, who does not think; who is a mental cripple; who can only yell; and who has no desire to learn and understand Torah.

We are producing a new breed of Ben Torah who does not know how to properly analyze a halacha; and has no desire to do so. He does not research a subject properly; and, has no desire to do so; learn how to do so.

All processes of logical thought which Torah is supposed to teach us have been forgotten. The new Ben Torah has become a narrow minded individual who has no desire to know and understand Torah. He is satisfied with a few seemingly logistic suppositions which are fabrications of his imagination and in reality suppositions and have no connection with Torah. He does not know how to think clearly. His mind is clouded. (One of the reasons for this is explained in a work published by this writer.)

The Time has come for Roshei Yeshivos to correct this situation. They must teach their students: (1) anything not based on fact or proven is not to be considered a fact. (2) One does not know any subject unless he has carefully read all sources concerning this subject. (3) Until he has investigated carefully, honestly, sincerely and diligently all sources on any subject he should not render his opinion on this subject, let alone impose his views or start a fight about it. (4) Do not believe anyone until you investigate the matter for yourself. (5) And most important don't be too lazy to follow through with all the aforementioned. (6) Be honest with yourself; for in the end you only fool yourself. The intention of this writer is to present facts; and, not to hurt or degrade anyone. Sometimes, however, when presenting facts one must be blunt. I hope that the reader understands this and reads my words as they were meant to be read.