

**BS'D
HILCHETA RABBETA LE SHABBETA**

**REGARDING THE ERUV IN BROOKLYN
AND THE OPINION OF RAV MOSHE FEINSTEIN ZTK'L**

It is a great insult to Geonim and Kedoshim from previous generations, and to the noted scholars of today who agreed to follow their rulings, to issue any proclamation stating that it is forbidden [Assur] according to TORAH LAW to establish an ERUV in Brooklyn. For, the TORAH LAW clearly permits this. This is a fact. They allege that Rav Moshe Feinstein ZTK"L forbade the establishment of Eruvim on Brooklyn.

**RAV MOSHE FEINSTEIN WAS NOT OPPOSED
TO THE ERUV IN BROOKLYN**

Hagaon Rav Moshe Feinstein, in a letter published in Hapardes in the year 5719 (33rd year, volume 9) states openly that he is not opposed to the establishment of ERUVIM. However, being that there are opinions stated by some Rishonim which differ from the ruling of the SHULCHAN ARUCH (Which should be the final say for any Jew even if he is a Gaon), he personally does not want to take part in the 'heter' [Permission] of establishing ERUVIM in Brooklyn. Nevertheless, those who wish to follow the rulings of all the Poskim who permit an ERUV can do so. He also states this verbally many times. These are documented facts that cannot be refuted.

**THOSE WHO ESTABLISH ERUVIM ARE FOLLOWING
THE MAJORITY VIEW IN ACCORDANCE WITH THE
SHULCHAN ARUCH**

Rav Moshe stated openly, verbally and in writing, many times that those who establish ERUVIM have a perfect right to do so for they are following the opinions of the majority of the sages of Israel and the ruling of the SHULCHAN ARUCH.

All the literature that he published concerning the establishment of ERUVIM is only an elucidation of minority views which are against all leading POSKIM and the SHULCHAN ARUCH. This is a documented fact and is stated openly in all his responsas concerning ERUVIM...

A WORD ON THE HOLY SAGES THAT LIVED 130 YEARS AGO (WHO GAVE OPINIONS ON THE ERUV IN NEW YORK)

Gedolei Yisroel, of blessed memory, who lived a hundred and thirty years ago, were greater than Torah scholars in our generation. They approved of ERUVIM in all large cities. Many wrote about Manhattan. Their rulings, with their brilliant, and lucid comprehension of Torah Law, was arrived at after working and toiling in our Holy Torah. Then they issued rulings with clear proofs. Their rulings are published for all to see, study, and analyze.

They did not worry about the problems mentioned by Rabbonim in our generation. No one in our generation, has the power to overrule these holy sages, of blessed memory, known for their erudite scholarship, and piety. More so, when Rabbonim in our generation rule against them by signing documents, without clearly refuting what those sages said on the subject of ERUVIM, they are not to be followed.

THE MARSHAM DID NOT LIVE IN AMERICA BUT MOSHE RABBEINU DIDN'T EITHER

The Marsham who approved of the ERUV in Manhattan in 1907 did not live in America. Therefore, those who oppose the Eruv say that he didn't understand the problems here. One can answer them that Moshe Rabbenu also didn't live in New York. With such reasoning you can wipe out the complete Torah. This is what Reform Jews do.

ERUVIM IN FLATBUSH

The subject of Eruvim in Brooklyn, has been a matter for discussion since the first Eruv was constructed there in the year 5739, by Rabbonim of the community of Flatbush. Before constructing this Eruv, they asked Reb Moshe Feinstein, of blessed memory.

He replied: The books of the Shulchan Aruch (Code of Jewish Laws) are open for all to study. However, he personally, does not want to get involved in their project. His answer was later published in his work Igros Moshe (part 4, letter number 87).

RAV MOSHE FEINSTEIN GIVES ASSISTANCE IN THE BUILDING OF THE ERUV

Rabbi Sharfman, Rav of the Young Israel of Flatbush, the one referred to in letter 87, Igros Moshe part 4, said that after Reb Moshe told him he did not want to get involved in their project to build the Eruv, he asked Rav Moshe,

if he could rely on other Poskim who argue with him and Reb Moshe replied yes. After this Rabbi Sharfman asked him if he could ask him some questions about constructing this Eruv. Reb Moshe replied yes, ask me whatever you want. Rabbi Sharfman proceeded to ask questions and got detailed instructions from Reb Moshe on how to construct this Eruv...

Reb Moshe Feinstein, of blessed memory, in the aforementioned letter, explains why he does not want to get involved in their Eruv. However, he states clearly that his reason for not embracing their project was not accepted by leading sages of previous generations. Therefore, it is not a clear-cut ruling.

In a letter, published in Igros Moshe, after the aforementioned letter (letter number 88) He states clearly that his ruling is against the Shulchan Aruch and he also says there that one can rely on the ruling of the Shulchan Aruch. (Something that is obvious to all)

Any publicity stating the opposite of what is stated in Igros Moshe is not true. They are publicized by individuals trying to mislead the public. However, the public cannot be misled so easily. Eruvim have existed in Brooklyn for more than twenty years. They will continue to exist. In spite of those who want otherwise.

THE RESHUT HA RABBIM OF RAV MOSHE

Any one who learns the letters from Reb Moshe Feinstein, of blessed memory, concerning Eruvim in Brooklyn, is well aware of the ruling stated in his work Igros Moshe (part 4 letter 88), where he rules that Brooklyn is a public domain (Reshus harabim). However, what escapes many is the fact that this ruling is not cited in any rabbinical source. It is a novel ruling. Therefore one does NOT have any obligation to follow this ruling because it is not mentioned by any Poskim.

RULING NOT IN ACCORD WITH THE SHULCHAN ARUCH

Reb Moshe states: 600,000 people must be in the street at one time. Only then can we rule that this city is a public domain. He states further: in order to have 600,000 people in the street at one time, three million people must live in this city.

This is not stated anywhere by any authority in Jewish law. It is a novel opinion of Rabbi Feinstein. The Shulchan Aruch (Siman 345:7) states

openly that 600,000 people must walk on one street, every day. Then this street, where 600,000 people travel every day, is a public domain. This needed status does not exist in Brooklyn. This ruling of the Shulchan Aruch is binding for all Jews and has been followed as an absolute, for the past 500 years.

THE SHULCHAN ARUCH IS THE FINAL AUTHORITY

Reb Moshe, in the aforementioned letter states that his ruling is not in accord with the ruling of the Shulchan Aruch. He also states there: One can follow the ruling of the Shulchan Aruch. The main question in this matter is: Why Reb Moshe chose to rule against the Shulchan Aruch and all poskim?

When one has a question, and wants to know the Torah ruling on a matter he opens the Shulchan Aruch, followed by all Jewish People for the past 500 years, and follows what is stated there.

THE OPINIONS OF RAV MOSHE ARE NOT BINDING, THE SHULCHAN ARUCH IS

As previously mentioned, this is the matter in question concerning his ruling on Eruvim in Brooklyn, it is against all Poskim and the Shulchan Aruch. No one has an obligation to follow it. If one wants to, he may follow it. However, he has no obligation to do so. All the facts are stated openly in Igros Moshe. They are obvious to all who diligently study his work. However, few study the subject of Eruvim diligently: and few sincerely, and carefully, study what is stated in Igros Moshe. Therefore, they have a basic misconception of his view: and a basic misconception of rulings of leading poskim.

SELECTIONS FROM IGROT MOSHE: ONE HAS THE RIGHT OF NOT AGREEING WITH WHAT IS WRITTEN IN IGROS MOSHE

“I have written reasons for what is said (in my responsas), Therefore, anything that is elucidated in this fashion is just as if I am only teaching the law; therefore, one who asks should study this on his own, and carefully check (what I say) and then he should choose (the proper decision)... Therefore, I have taken the liberty to print them (my responsa), since I am only one who elucidates the law; so, that all scholars and those who render

decisions should study what is written, and decide himself if he should render this decision...”

PREFACE TO IGROS MOSHE

I ask all who read this work to carefully check what I say; and only then he should render a decision. (ibid)

ONE MUST CLARIFY THE TRUTH

'5 ADAR 5712

To My Dear Friend Who is Most Honorable, the Rabbi and Gaon, Our Teacher and Rabbi, Reb .. , may He Live long and Good Years, Salutations and Blessings, Behold, the honorable scholar who is great in Torah, has excused himself for disputing with me on a matter of Jewish Law; this is unnecessary, for this is the way of the Torah; DERECH HA TORAH one must clarify the truth 'emes'; and G-d forbid, one be silent if he feels it is not correct (the Halacha) whether it be the lenient or the Stricter views...

IN OUR GENERATION THERE IS NO LAW OF GADOL

... And we find many times that students asked questions on the decisions of their RebbiesIt is also logical to say that in our generation there is no law of “GADOL” or outstanding personality with reference to the law that one should not dispute his views. Therefore, even if the honorable scholar who is great in Torah considers me a “GADOL”, he is permitted to dispute what I say; and therefore, he is obligated to state his views and he does not have to excuse himself ...

IGROS MOSHE Orach Chaim responsa 109

And we find in the Gemarah [Eruvin 68a] that it says that there's an obligation incumbent upon the Rabbis of the city to establish Eruvim that will permit carrying for the people and this was the custom in all places in Europe where they would establish Eruvim in all their cities...

Igros Moshe Siman 29