

Congregation Young Israel of San Francisco

1806 Noriega Street • San Francisco, CA 94122

Rabbi P. Lipner, Rabbi • Dr. Norman Ozersky, President • Established 1971

בס"ד א' מר-חשון תשנ"ח

לכ' הרבנים הגאונים שליט"א חברי ההתאחדות הרבנים כ"א בשמו מבורך

The מקוה in San Francisco is owned by the Jewish Community Federation, a non-orthodox Jewish organization. It was built by הרב מהעלמעץ זצ"ל with the approval of רבייה הרדי"ג יבלי"ח הרדי"ג of Belgium. Since the passing of the Helmitzer Rav, the מקוה has been in the care of Rabbi Jacob Traub and the Mikva Society. In the past the מקוה was periodically checked for זחילה by Rabbi Schick, an older Rav who was part of our community and recently moved to ארץ ישראל. Nobody ever had a אמיטא that the rain water had been changed by people uneducated in מקוואות.

We were very lucky that הרבנה"צ מוה"ר ר' נחום ראזענבערג שליט"א was called in by Rabbi Traub מורים תשנ"ז to check the מקוה. During his stay here, Rabbi Traub happened to mention לפי תומן that he had changed the גשמים on his own. The San Francisco and בני תורה know Rabbi Traub to be unreliable in Rabbinical issues including כשרות and גרות, and we therefore certainly consider him unreliable for מקוואות. As a result, the local community of בני תורה and חרדים stopped using this מקוה, since it was impossible to change the rain water until the fall due to lack of rain. There is a מקוה an hour away from here in Berkeley, and we all use that one instead. This was following the advice of ר' נחום ר' יעקב פאזען שליט"א and ר' יעקב פאזען שליט"א, Washington Heights.

Recently, הר' אברהם יחושע העשיל ביק, was called to San Francisco by the Presidents of The Mikveh Society to inspect the מקוה. The problem is that they זוקא called him to town in a way that the בני תורה and קהלה חרדית would not know about his coming. In fact, members of The Mikveh Society were specifically instructed not to mention the meeting to us.

We were tipped off about the meeting with Rabbi Bick, and at 10:00 a.m. Thursday July 31, 1997 we arrived uninvited to the meeting at the מקוה. Needless to say, an unpleasant scene ensued, and they even threatened that they would call the police to throw us out.

At the meeting we were shocked to hear Rabbi Bick publicly denounce Rabbi Rosenberg, saying that he was a layman unqualified to rule on מקוה issues. He even went so far as to say that we should refer to Rabbi Rosenberg as Mister Rosenberg because he never had הוראה. In our dealings with Rabbi Rosenberg he has been straightforward and trustworthy, and we have the deepest admiration and respect for him. Rabbi Rosenberg also showed us many

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from the חרדים of this generation, so we were very suspicious of Rav Bick's harsh opinion of Rabbi Rosenberg.

The fact is that even if Rabbi Bick had a poor opinion of Rabbi Rosenberg, he should have kept it to himself. The חילול השם that he caused by saying these things in front of a group of people who dislike חרדים in general is astounding. All it did was give these people more ammunition to say that the San Francisco קהלה חרדית is just out to cause trouble, and that there never had really been any problem with the Mikva in the first place.

We also were dismayed about the fact that Rabbi Bick repeatedly denied us a private interview where we could tell him our views about the situation, and to explain to him the background of Rabbi Rosenberg's and Dayan Posen's view of the status of the מקוה.

The end was that Rav Bick declared that the Mikva was 100% כשר לכתחילה. We asked him what his reasoning was, and he told me "It's only an assumption that he (Rabbi Traub) did not fill it correctly". We then asked him what about the fact that Rabbi Rosenberg had caught Rabbi Traub in many lies, including the claim that The Helmitzer Rav had changed the rain water a few years ago together with him. The Helmitzer was נפטר six years ago, and could not possibly have helped in the filling of the rain water. We also told Rav Bick that Rabbi Rosenberg said that the Mikva has a few potential problems which require a competent מורה הוראה when filling the rain water, and Rabbi Traub knew nothing at all about these problems. He answered בזה הלשון "Rabbi Rosenberg is a liar". At this point we had no idea who to believe, so we accepted Rabbi Bick's ruling without a problem. We even announced it in Shul that שבת.

Over that weekend we felt uneasy about Rabbi Bick's reasoning. Our experience had been that Rabbi Rosenberg is not a liar, and his opinion that the Mikva was not to be used was backed by דין פאזען שליטייא. Rabbi Bick had not told me of any halachic issue which would make the Mikva usable, so we decided to speak to הרחי"ג ר' חיים קרייזוורט שליטייא to get his opinion. Rabbi Kreisworth spoke to Rabbi Bick, and told us that we should ignore Rav Bick's פסק and that Rabbi Bick had told him that his פסק had been based on the reasoning "וויפיל בני תורה זענען שוין דארטן". Needless to say, the קהלה חרדית and בני תורה were very insulted that Rav Bick would let us use such a Mikva based on such silliness. We called Rav Bick on conference call with other members of the community, and Rav Bick told us that we should use a different Mikva, and to tell the all בני תורה to do so as well. He also promised us a חזרה בכתב. We went ahead and spread the word in the orthodox communities that the Mikva was still no good, and then we started hearing from people that Rav Bick was still saying that there really is no problem and that everything is still 100% כשר לכתחילה.

The bottom line is that not only did Rav Bick not give us a כתב חזרה, he made us look like בעלי מחלוקת who just wanted to make trouble for Rabbi Traub. We told people not to use the Mikva based on Rabbi Bick's instructions to us, then the same people would call him directly and he'd tell them that it is כשר לכתחילה.

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The people in charge of the Mikva are telling everyone in town that everything is perfectly fine, and that Rav Bick has given his O.K. to the Mikva. To make matters worse, we found out that they were planning to put an ad in the local Jewish paper saying that the מקוה is under the השגחה of Rav Bick. We quickly called Rav Bick, thinking that he had been חוזר, and informed him of the intention of the Mikva Board. He promised that he would not allow his name to be used in such an ad. Of course, the ad came out with his name as the רב המכשיר, and Rav Bick never came out publicly saying that he was not. Just another promise that Rav Bick has broken to us in the past few months.

Lately Rav Bick has been telling people that he has nothing to do with the Mikva, and that he doesn't want to be involved anymore. He tells them that it really is כשר לכתחילה, but that he's getting too much pressure from certain people about it. At this point, Rav Bick cannot say that he has no שייכות, since the damage is done, he already came out with a פסק, so he needs to clearly say where he stands. If not, there will always be people who will rely on his פסק and on Rabbi Traub's השגחה, and the orthodox community will never be able to use this Mikva again, and for those that do use it, it is a מכשול of כריתות.

We thought that maybe Rav Bick was concerned that if he came out against the Mikva that some women would not use any at all, but if this was his thinking he should have told us quietly not to use it. We know of at least one case where he told Rabbi Brafman, a רי"מ from Far Rockaway, that the Mikva was 100% כשר לכתחילה. Clearly Rav Bick is not doing this because of the San Francisco women who may not use a Mikva, since Rabbi Brafman is not a member of this community, and which Mikva he does or does not use makes no difference to a woman here.

Rav Bick made a big mess here. He succeeded in creating an even worse atmosphere for חרדים and בני תורה than there was before he came. His practice of telling each person a different פסק הלכה -- depending on which side they were on -- is very harmful. To this day he still tells some people that it is כשר לכתחילה, and he recently told ר' יעקב גרינבערג שליט"א, a רב from Boro Park, that it is not לכתחילה. It is a בושע וחרפה that an orthodox פוסק behaves in such a manner, especially כריתות. He recently told someone that he is planning to come change the rain water "just to make certain people happy" but that really there is no problem. This is after Rabbi Kreisworth (ראב"ד דק"ק), Rabbi Blum (ראב"ד דק"ק קאשוי יצ"ו), and other פוסקים have told Rav Bick that his פסק הלכה was wrong and that it should be changed.

We do not want Rav Bick back in town, and even if he does come to change the water, we will not accept him as the רב המכשיר. We have lost all faith in his פסק הלכה and in Rav Bick as a פוסק.

We feel that the התאחדות הרבנים, the greatest בית דין in the חרדית, has a responsibility to make sure that Rav Bick fixes this situation, since he is a member of the התאחדות.

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The following things need to be done:

- Rav Bick is making ליצנות from us all by giving out different הלכה פסקי to many different people. He has to make up his mind once and for all which הלכה פסק is correct, and he should stick to it, no matter who is asking the שאלה.
- Rav Bick needs to clarify his position בכתב. If he feels the Mikva is כשר, let him say so together with his reasoning in writing. If he feels that it is not כשר, he must also say so in writing, and he must make it crystal clear that he is not backing down because of political or any other kind of pressure, but that he did not have all the information when he gave his original פסק. If he reverses his פסק, he must make sure that people understand that he's doing so strictly מטעם הלכתי.
- To the community here it seems that Rabbi Bick has given full טאמנות to Rabbi Traub. This is a terrible חורבן, since Rabbi Traub is not a man who any orthodox person should trust as a Rav. This is not the place for a full report on Rabbi Traub, but if more information is necessary, we can give evidence backing this up. At this point Rabbi Traub can now legitimize himself in the eyes of orthodox people, since a Rabbi and member of the התאחדות trusts him! Also, the Mikva will never be fixed, since now they feel that they have a פסק that it is כשר, so why do anything else. Rabbi Bick must disassociate himself regarding our Mikva from Rabbi Traub and make it clear that he gives no טאמנות to him at all.

החוזמים למען כבוד התורה וטהרת ישראל
בשם הקהילה החרדית ותבני תורה דקייק סאן פראנסיסקו

אברהם יעקב ראזענבלט

שלום פיין