

Re Medt ↓ IMF

# Reflections . . . .

## Halachic Conundrums



By RABBI DR. SAMUEL A. TURK

Ever since the dissolution of the Sanhedrin unanimity in the observance of *Halacha* and the practice of Judaism ceased to exist. Thereafter, *Halachic* authorities arrived at different conclusions from the Talmud as to what the *Halacha* should be in various instances. Sections of Jewry would follow the opinion of the authority they recognized. In Egypt and in North Africa Alfasi and Maimonides were the recognized Torah authorities, whereas on the European continent Rabbenu Gershom and the School of Rashi were followed. Their decisions differed in many aspects of Jewish observance. When a person would find it difficult to follow a more stringent opin-

New York Jewry conspicuously lacks consensus in the observance of many important *mitzvahs* and Jewish practice. For example, one would think that a fundamental precept like circumcision would be performed in the same manner everywhere. However, this is far from fact and is a situation which causes much confusion and frustration. Many *mohalim* (circumcisers) use clamps of various kinds to prevent post-circumcision bleeding. Developed by physicians, the "Gomco Clamp" was specifically prohibited by the Union of Orthodox Rabbis of America and Canada. The use of another clamp, the "Magen Clamp," is the subject of heated controversy.

*Gaon*, Chazon Ish, and a host of other reputable authorities. It is a known fact, however, that in the great yeshivas of Poland and Lithuania the *talmidim* utilized electric shavers and the *Rosh Yeshivas* countenanced them doing so. The use of these machines is so widespread among religious Jews today that prohibiting their use officially would cause great confusion and hardship. Nevertheless, one cannot ignore the fact that there is convincing *Halachic* evidence that prohibits the use of electric shavers.

A similar *Halachic* upset is being caused by a Torah scholar who inserts sizable

ads in a weekly Yiddish newspaper proclaiming that one is not permitted to eat meat in America today because there are no experts who have the know-how or the skill to properly devein the animals. Such a claim is a serious condemnation of thousands of observant Jews who eat meat. We can hardly afford to allow such an assertion to go uncontested or uninvestigated. *Halachic* commissions of existing rabbinical organizations should be probing into such questions and reacting in some plausible and feasible manner.

An area in which much *Halachic* confusion and permissiveness exists is that of funerals and bur-

ials. Many bodies are removed and burials performed by non-Jews. This is certainly not permitted according to *Halacha*. The Jewish public as a whole is also woefully uninformed as how to proceed in cases where death occurs on the Sabbath. As a result, much desecration of the Sabbath results. Many synagogues are lacking *Chevra Kaadisha*, burial committees. The rules of *Halacha* are often not clearly delineated by rabbis regarding the postponement of burials, cutting of *kriah* (rending of garments), procedures for proper burial and conduct during the period of *shiva* (mourning). As a result most people follow heresy

and decide what is proper to suit their own convenience.

Are women permitted to be members of synagogues and to serve as officers of congregations? In many orthodox synagogues such is already the case. Some congregations accept women as equal members, but deny them the right to serve on the Board of Directors or election to office. Some forbid both membership and election to office, while still others permit both. The fact that women enjoy such rights in some orthodox synagogues makes it extremely difficult for rabbis of other con-

(Continued on Page 29)

We're #1, The LARGEST Sukkah Dealer in The World!

# LEITER'S SUKKAHS

THE SOURCE

Buy Direct From The Manufacturer and Save!

EASY-TO-ASSEMBLE AND EASY-TO-STORE PACKAGED SUKKAHS

# Reflections . . . .

## Halachic Conundrums

By **RABBI DR. SAMUEL A. TURK**



Ever since the dissolution of the Sanhedrin unanimity in the observance of *Halacha* and the practice of Judaism ceased to exist. Thereafter, *Halachic* authorities arrived at different conclusions from the Talmud as to what the *Halacha* should be in various instances. Sections of Jewry would follow the opinion of the authority they recognized. In Egypt and in North Africa Alfasi and Maimonides were the recognized Torah authorities, whereas on the European continent Rabbenu Gershom and the School of Rashi were followed. Their decisions differed in many aspects of Jewish observance. When a person would find it difficult to follow a more stringent opinion because of extenuating circumstances, the decisions themselves often permitted leniency. All this produced variegation in the observance of Torah throughout the world. Add to the above the numerous customs which various communities developed, albeit in accordance with the *Halacha*, and we can clearly perceive the checkered manner in which the Torah came to be observed.

Some deplore all this as confusing. On the other hand, it has also been enriching. One cannot help but admire the different customs and practices of various segment of world Jewry. Judaism has avoided extreme monolithism. While this is true globally, the Torah has forbidden fractionalism in the observance of the commandments locally. "Ye are the children of G-d, your G-d; ye shall not cut

New York Jewry conspicuously lacks consensus in the observance of many important *mitzvahs* and Jewish practice. For example, one would think that a fundamental precept like circumcision would be performed in the same manner everywhere. However, this is far from fact and is a situation which causes much confusion and frustration. Many *mohalim* (circumcisers) use clamps of various kinds to prevent post-circumcision bleeding. Developed by physicians, the "Gomco Clamp" was specifically prohibited by the Union of Orthodox Rabbis of America and Canada. The use of another clamp, the "Magen Clamp," is the subject of heated controversy. According to many authorities, the use of such instruments invalidates the circumcision and when used on the Sabbath involves a desecration of the holy day. (See Eugene Cohen, Guide to Ritual Circumcision, p.130) Many Jewish parents are not even aware of what is involved. An important *mitzvah* like circumcision should not be left floundering. The matter should be resolved.

Another *Halachic* matter which is causing much divisiveness is that of the *Eruv*. There is controversy as to whether an *Eruv* may be constructed to permit carrying on the Sabbath and on *Yom Kippur* in sections of large cities where more than 600,000 people reside. Consequently, the *Eruvs* in upper Manhattan, Boro Park and Flatbush have divided these communities. The late Rabbi Aaron Kotler, z"l, and the

Gaon, Chazon Ish, and a host of other reputable authorities. It is a known fact, however, that in the great yeshivas of Poland and Lithuania the *talmidim* utilized electric shavers and the *Rosh Yeshivas* countenanced them doing so. The use of these machines is so widespread among religious Jews today that prohibiting their use officially would cause great confusion and hardship. Nevertheless, one cannot ignore the fact that there is convincing *Halachic* evidence that prohibits the use of electric shavers.

A similar *Halachic* upset is being caused by a Torah scholar who inserts sizable

ads in a weekly Yiddish newspaper proclaiming that one is not permitted to eat meat in America today because there are no experts who have the know-how or the skill to properly devein the animals. Such a claim is a serious condemnation of thousands of observant Jews who eat meat. We can hardly afford to allow such an assertion to go uncontested or uninvestigated. *Halachic* commissions of existing rabbinical organizations should be probing into such questions and reacting in some plausible and feasible manner.

An area in which much *Halachic* confusion and permissiveness exists is that of funerals and bur-

**We're #1, The LARGEST S**

# LEITER'S S

THE S

**Buy Direct From The P**

**EASY-TO-ASSEMBLE AND EASY-**

## MODULAR SUKKAHS



Our new Double Corrugated Fiberglass MODULAR SUKKAH is available in four colors - White, Blue, Green and Brown. Also available in WOOD PANELS. Specially Treated Won't Warp, FINISHED ON BOTH SIDES, MADE EXCLUSIVELY FOR US.

- Heavy gauge aluminum with double supports.
- Available with storm and screen windows.
- Silk screen Brochos, Ushpisin and Kiddush available on fiberglass panels.
- Unbelievable handpainted panels available.
- Sliding doors.
- P.V.C. corrugated, it won't crack or chip.

...because of extenuating circumstances, the decisions themselves often permitted leniency. All this produced variegation in the observance of Torah throughout the world. Add to the above the numerous customs which various communities developed, albeit in accordance with the *Halacha*, and we can clearly perceive the checkered manner in which the Torah came to be observed.

Some deplore all this as confusing. On the other hand, it has also been enriching. One cannot help but admire the different customs and practices of various segment of world Jewry. Judaism has avoided extreme monolithism. While this is true globally, the Torah has forbidden fractionalism in the observance of the commandments locally. "Ye are the children of G-d, your G-d; ye shall not cut yourselves nor make a bald patch between your eyes for the dead." (Deuteronomy 14:1) Our Sages have interpreted this passage as a prohibition for some people of one community to practice a *mitzvah* in one way and others of the same community to practice it in another way, thereby forming different sects within one community. (T.B. Yebamoth 13b, 14a) This, the Sages maintained, is cutting the community body and is as prohibited as cutting one's own body.

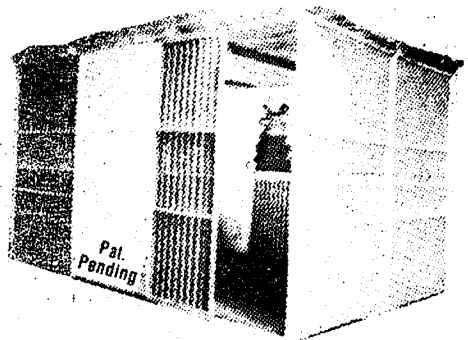
Therefore it is important for the Torah authorities in a given community to establish some sort of consensus of Torah observance, lest it lead to enmity and strife.

According to many authorities, the use of such instruments invalidates the circumcision and when used on the Sabbath involves a desecration of the holy day. (See Eugene Cohen, Guide to Ritual Circumcision, p.130) Many Jewish parents are not even aware of what is involved. An important *mitzvah* like circumcision should not be left floundering. The matter should be resolved.

Another *Halachic* matter which is causing much divisiveness is that of the *Eruv*. There is controversy as to whether an *Eruv* may be constructed to permit carrying on the Sabbath and on *Yom Kippur* in sections of large cities where more than 600,000 people reside. Consequently, the *Eruvs* in upper Manhattan, Boro Park and Flatbush have divided these communities. The late Rabbi Aaron Kotler, *zt"l*, and the late Rabbi Moshe Feinstein, *zt"l*, ruled against the construction of an *Eruv* in such communities. This dispute has caused much bitterness and abuse of Torah scholars. The controversy has divided families and has even caused domestic strife between man and wife.

Recently a young Talmudic scholar, Moshe Wiener, published a *Halachic* treatise, *Hadrass Ponim Zokain*, which has the approval of reputable Torah scholars. In it he discusses elaborately the permissibility of using electric shavers on one's face and concludes that it is prohibited. He quotes the Chofetz Chaim, who forbade their use, as did the

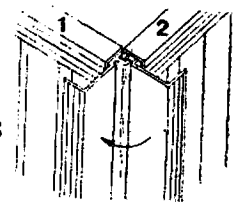
# MODULAR SUKKAHS



- Our new Double Corrugated Fiberglass MODULAR SUKKAH is available in four colors - White, Blue, Green and Brown. Also available in WOOD PANELS. Specially Treated Won't Warp. FINISHED ON BOTH SIDES. MADE EXCLUSIVELY FOR US.
- Heavy gauge aluminum with double supports.
  - Available with storm and screen windows.
  - Silk screen Brochos, Ushpisin and Kiddush available on fiberglass panels.
  - Unbelievable handpainted panels available.
  - Sliding doors.
  - P.V.C. corrugated, it won't crack or chip.

Available in All Sizes

**NOTE:** All panels and corner work on a Male/Female sections assembly system. No screws, bolts, L's or tools necessary. Our own patent pending design.



Corners look beautifully finished and are strong and secure.

**New Location**

**Sukkah's Shipped All /**  
 For information call or write to: LEITER'S SUKKA  
**Open Sunday thru T**  
 Models on display in Facto  
**1346 39th Street, Broo**  
**Day (718) 436-0303, 436-0909**  
 Models Also On Display and Availabl  
**KI-TOV BOOK STORE, 1847 Mott Ave., Far R**  
 Models on display and available  
**ISRAEL BOOK SHOP, 410 Harvard St., Brool**