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בקרית חמש

November 21, 1965.

Rabbi Dr. Leo Jung  
and Rabbi Norman Lamm  
The Jewish Center  
New York City.

... י"א חשוון תשכ"ו

Dear Colleagues,

Many thanks for your draft of the proposed "Eruv Proclamation" which I have now read with great care.

While it is well written and cogently argued, it does not quite represent the "compromise" I had in mind when I suggested we each go half-way to meet the other's position.

I was prepared, for my part (and, I believe, with Rabbi Langer's concurrence), to withdraw the opposition to a pulpit statement affirming the validity of the Eruv, if on your part you would agree (at least pending any wider rabbinical endorsement) to so word the statement as to discourage people who never carried until now from availing themselves of the Eruv *הבאגל*.

Your reference in this context to the "pedagogic and psychological" consideration of children appears to me entirely meaningless in practice as well as in principle. Is carrying to be limited to adults, or is the institution of the Eruv to be taught only or especially to children for "pedagogic and psychological reasons"? I really cannot resolve the ambivalence of this clause.

In accordance with what I had in mind, therefore, as a reasonable mediation between our respective views, I am attaching some draft amendments to your statement in the hope that they may conduce to finding some mutually acceptable formula. With all my hesitation about the wisdom or urgency of such public action, I would at least be satisfied that we have all made some substantial concessions to reach agreement.

Sincerely,

*I. Jakobovits*



SUGGESTED AMENDMENTS

P.1, headline. Read "statement" instead of "proclamation."

cc  
send paragraph. Read "parts of Vienna" instead of "Paris."

p.2, line 3. Delete from "Although there are...." to "rabbinical scholars" at the end of the second paragraph. Instead read as follows:

"In accordance with their recommendations, an Eruv has been set up recently for the Island of Manhattan under due rabbinical supervision.

"On the other hand, there are many leading rabbis who hesitate or refuse to endorse this Eruv. Among the reasons for this opposition is the absence of any centrally organized and recognized rabbinic authority in Manhattan with powers to make such an enactment for and on behalf of the entire Jewish community resident within the area affected, such as exists in Israel and in Europe. Against the proclamation of an Eruv it has also been argued that the only visible sign of the Sabbath left in the streets are Jews displaying the spirit of the Sabbath by not carrying anything.

"While we respect these arguments, without necessarily sharing them, we feel we have no right to deprive the thousands of Jews who carry already and some other special categories of the opportunity to do so legitimately by a properly constituted Eruv.

"Having regard to all these considerations, the Rabbis of the above-named Synagogues have agreed to make, and read from their pulpits, the following joint statement for the information of their congregants:

"We acknowledge as valid the Eruv set up for Manhattan in conformity with the decisions of numerous world-renowned rabbinical scholars. Accordingly, we advise our members that the Eruv may be utilized with the following important reservations and conditions:

1. This Eruv applies exclusively.....of the City. (Insert penultimate paragr. on p.2)
2. The Eruv does not cover the carrying of any article whose use....utensils may never be carried even within the area of the Eruv.
3. The Eruv applies only to things....Holiday use. (Insert missing words)
4. Pending the endorsement of this Eruv by a majority of Manhattan's leading Rabbis or by a duly recognized central rabbinical authority, we urge those who have not carried anything on the Sabbath, <sup>in the past</sup> to refrain from doing so by virtue of the present Eruv, except when compelled by some exceptional necessity, such as doctors carrying their bags on visits even to patients who are not in danger, mothers taking out their infants in carriages on hot days, or people bringing food to the Sukkah."

Continue from "The above congregations" (p.3) to ~~"status of the Eruv"~~ "consult your Rabbi" (p.4), and add:

"This statement applies only to congregants within the rabbinical jurisdiction of of the participating Rabbis, and the statement will not be publicized by any means other than this pulpit announcement."

"May the establishment of this Eruv, however limited its benefits for the time being, reduce grave offenses against the Sabbath and thereby help to enhance its sanctification as the cornerstone of Jewish life."



# Connections for Eruv

for p. 2, line 4

A According to them, a reliable Eruv can be established for the island of Manhattan, provided it is under the jurisdiction of a special beth-din of three specially appointed experts (as will be indicated below.)

for p. 2, end par. 2

B In accordance with their requirements, the Eruv will be considered valid only on the explicit condition, and only during such time, that it is under the jurisdiction of a beth-din of three specially appointed rabbinic experts, who will bear the responsibility for the supervision of the technical conditions that render the Eruv valid, and who will answer all questions regarding the Eruv and related matters. Theirs will also be the continuing responsibility to inform the public of any change or deterioration in the status of the Eruv. Any member of the beth-din wishing to resign is to give a minimum of three months' notice, upon which the remaining members are to choose his immediate successor. Should all three resign, a new group of three must be chosen to replace them at once. Without the existence and functioning of such a beth-din, the Eruv is to be considered entirely null and void.

p. 2, after 1.)

C Manhattan differs utterly from all other boroughs in New York City, in that it alone is an island, entirely surrounded by natural bodies of water, and it has a series of bridges and other structures, built so that it is presently possible to make an Eruv which renders the entire island as if one large private domain. Therefore this

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Rabbi Kasha