

Friday Afternoon the Rabbi Discovered the Eruv Was Broken: An Important Case Study for Jewish Community Leaders

Upon driving myself and children home from an idyllic winter break bowling expedition, I noticed something very disturbing about our community Eruv . I noticed that one of the poles along the Eruv route was severely damaged. I wondered if this impacted the Eruv. I safely parked near the scene of the broken pole and began to investigate. Lo and behold, there was a serious problem with our Eruv. Approximately six feet of the bottom of the Lechi was missing at this important location in the Eruv and only two and a half hours remained until Shabbat. My mind began to race with calculations as to how to handle the situation. As a first step, I called the administrator of our Eruv in “Greater Teaneck” Rav Micha Shotkin. Rav Shotkin is a very busy man, I thought. He services dozens of Eruvin in the region. Would he be able to help us and rescue our Eruv?

Fortunately, Rav Shotkin “happened” (I view this as *Siyata D’Shmaya*) to be located only fifteen minutes away on the road near Paramus and he quickly changed course and made his way to Teaneck. Rav Shotkin made the repair quickly and efficiently and the Eruv was up and ready for Shabbat. Had I not noticed the damaged pole and gone to investigate, thousands of Jews would have relied on a subpar Eruv that Shabbat.

Let us analyze this situation and glean some vital lessons for Eruv maintenance.

Rabbinic Involvement with Eruv Maintenance

I currently advise more than seventy communities in regard to their Eruvin and have thirty years of experience dealing with community Eruvin. One lesson I have seen repeatedly in community after community, is that the quality of a community’s Eruv depends a great deal on the involvement of the local Rabbanim. Communities where the local rabbi pays little or no attention to the Eruv almost always are in poor quality, often being completely disqualified or marginally acceptable at best. On the other hand, communities where the rabbis

are actively involved such as Cherry Hill, New Jersey and Sharon, Massachusetts for example are maintained at a high level.

Community rabbis are most often extremely busy tending to an extraordinarily diverse set of communal and individual needs. However, it is vital for the local Rav to oversee the religious needs of the community. For example, Beitzah 16b relates that Avuha DiShmuel made an Eruv Tavshilin for his entire town of Nahardei'a and Rabi Ami and Rabi Asi made an Eruv Tavshilin for hteir entire town of Teveriah. In more recent times, it is related that both the Chafetz Chaim (Dugma MiDarkei Avi zt"l 63:14) and the Chazon Ish (Pe'eir HaDor 2:136 and 285) every week inspected their community's Eruv.

In greater Teaneck, our inspector does an excellent job of meticulously inspecting the Eruv each week. It is clear that the problem arose after he completed the inspection on Thursday. In the wake of this incident, I sent a note to all of the Teaneck community Rabbanim to be alert to any unusual phenomenon in regard to the Eruv. Those Rabbanim who participate in our annual walking inspection of the Eruv are best able to notice such suspicious alterations. The walking tour provides the Rabbanim with a Tevi'at Ayin of the Eruv which sensitizes them to be alert to an unusual appearance.

Thursday Eruv Inspection

Ideally, a community Eruv should be inspected on Friday (Teshuvot Doveiv Meisharim). However, in practice many Eruvin are inspected on Thursday to allow time for the Eruv to be repaired if necessary. The Teaneck Eruv and most community Eruvin with which I am familiar are sufficiently stable to make us comfortable relying on a Thursday inspection. However, it is worth Rabbanim being alert to problems, especially after the inspection is completed.

After I completed creating an Eruv in the community in which I resided in 1989, I asked Rav Schachter if I was required to look at the Lechis on the streets I happen to be passing on Friday, after the Eruv was inspected for the Shabbat. Rav Schachter replied that it is not necessary to obsessively repeat the inspection of

the Eruv. However, this does not mean we can blithely ignore an obvious problem such as the one that I spotted in the situation we are addressing.

What if the professional is not available?

What are the Rav's options if the professional repairman is not available to fix the Eruv? In such situations, "Sof Ma'aseh B'Machshavah Techilah" is in order. Rabbanim should maintain a stockpile of forty inch Lechis that are ready to be installed on the poles in situations similar to our case. There may not be sufficient time to make such repairs by "laymen" if the Lechis are not prepared in advance.

In such situations the Rav might not have the equipment or ability to safely install the Lechis the entire way to the wire. He also may not be able to insure that the ten Tephachim (40 inch) high Lechis are plumblined beneath the wire. In such a situation, one could temporarily rely on an eyeball estimation that the Lechi is placed precisely beneath the wire. I heard this ruling directly from none other than Rav Shlomo Zalman Auerbach as I described at length in Gray Matter 1:183. .

Relying on B'Di'eved Standards

What if we were even unable to make the "layman repair"? The Rabbanim should be aware of standards upon which they can rely in a pinch or at the very least have a Rav whom they can consult. In our case, the Lechi from the wire about 10 feet down (but was missing the bottom ten feet of Lechi). In such a situation, Chatam Sofer (Teshuvot number 34 in the Likkutim) permits relying on the principle of "Gud Achit Mechitzta." The Chatam Sofer faced the familiar challenge of frequent vandalism to the Lechis of his community's Eruv. He advised in such a situation to rely on the Lechi extending down from the wire a minimum of ten Tephachim and relying on the principle of Gud Achit to "extend" the Lechi down to the ground

The Chazon Ish (Orach Chaim 79:11), however, vociferously objects to the Chatam Sofer's ruling. He argues that we may not rely on "Gud Achit" in the creation of a Tzurat HaPetach. He argues that such construction does not meet the Gemara's requirement that it be made "K'davdi Inshi", as people normally

create items (Eruvin 94b). Since door frames are not created utilizing the principle of Gud Achit, a Tzurat HaPetach may also not be created based on this principle. Common practice follows the ruling of the Chazon Ish.

Rav Hershel Schachter told me that he is not comfortable relying upon the Chatam Sofer in this instance. However, Ran Mordechai Willig believes that B'Shaat HeDechak this ruling may be followed. Indeed, the Chatam Sofer's ruling seems compelling. Just as Tzurat HaPetach may be created via the mechanism of Gud Asik (according at least to the Mishnah Berurah 362:62), so too it may be creating relying upon Gud Achit.

Had the Lechi in question not been able to be repaired before Shabbat, the Teaneck Rabbanim would have faced a dilemma as to whose ruling, Rav Schachter or Rav Willig, should be followed. Fortunately, we have formal Eruv Vaad consisting of the local Rabbanim with considerable experience managing a community Eruv. The question would have been submitted to the Eruv Vaad for a decision whether to announce the Eruv as functional for that Shabbat.

Another reason to be lenient in this case is that the Lechi on the pole in question was placed to correct an approximately ten degree change of direction. Again, Rav Schachter would not be comfortable relying upon this, whereas Rav Willig would find it acceptable Bisha'at HeDechak. This would have been part of the consideration had the Eruv Vaad been asked to rule whether the Eruv is up or down for that Shabbat.

Occasionally, announcing the Eruv is Down

Some Rabbanim might have been inclined to use the opportunity to announce that the Eruv is down. Indeed, the Elizabeth, New Jersey community follows the ruling of their venerated Rav Pinchas Teitz who announced the Eruv down once a year. Rav Teitz echoed Chazal's concern Shema Tishtakach Torat Eruv (Eruvin 59a and Rashi ad. loc. s.v. V'Shel Rabbim). Indeed, in my teaching experience, I have encountered many youngsters who are not aware of the distinction between Shabbat and Yom Tov in regards to the Issur Hotza'ah.

However, Rav Mordechai Willig does not subscribe to this approach. Sadly, in our communities not everyone can be expected to observe the Issur Hotza'ah in case the Eruv is not functional. Public Chillul Shabbat, Chas V'Shalom, would be most detrimental to the community. In fact, I once heard from Rav Willig that he spoke to the camp Rav at Camp Morasha who suggested the Eruv be called down upon encountering a very serious problem with the camp Eruv. Rav Willig insisted, though, that every effort be made to repair the Eruv in time for Shabbat so as not to need to call the Eruv down. (I am proud to report that my son Binyamin made a major contribution to this effort).

Conclusion

Due to Siyata Dishmaya along with proper advance planning and organization, a problem with the Teaneck Eruv was noticed and repaired expeditiously, Baruch Hashem, avoiding a situation of thousands of observant Jews relying on a subpar Eruv for a Shabbat.

Moshe Rabbeinu upon seeing the unusual sight of a bush on fire that was not consumed, made it his business to investigate, as a result, the process of our Ge'ulah from Mitzrayim was initiated. When you think you see something with the Eruv, say something and do something. Follow Moshe Rabbeinu's example and investigate. The Rav's alert reaction will bring Ge'ulah to the world.

Postscript - A Related Incident with the Englewood Eruv

Daniel Lubat, while inspecting the Englewood Eruv on a Thursday evening, noticed utility workers working on poles along the 9W extension near Sage Street. He alerted me that the area required reinspection on Friday, since although intact on Friday the workers constituted a Rei'uta to the Chezkat Kashrut of the Eruv. I subsequently inspected the area on Friday and found an Eruv wire that was down and we dealt with the situation. This was a wise decision made by Daniel to notice and report the issue. He even followed up with me to insure that nothing fell between the cracks.

Eiranut Mona'at Ason, being alert avoids a catastrophe, is an apt slogan posted in many Israeli public places. The same is true regarding community Eruvin. One may not assume that once the Eruv is constructed that it will remain intact indefinitely. Constant vigilance is a sine qua non for maintaining a quality community Eruv.