

## Lechi under Cabin Eaves at Camp Ramah Darom



### The Challenge – High Standards while Retaining High Aesthetics

The challenge was considerable. On the one hand, Rav Shmuel Khoshkermann of the Atlantic Kashrut Commission wanted the updated Eruv for Camp Ramah Darom (CRD) in northern Georgia to be constructed to high standards to satisfy all potential guests. On the other hand, Camp Ramah Darom (CRD) is a world class facility blessed with extraordinarily beautiful scenery, from which we could not detract when creating the new Eruv.

We avoided relying on Tel HaMitlakeit, a hill which is a minimum twenty five degrees steep, as a Halachic wall due to the difficulty in determining the area in question is sufficiently precipitous. We reduced the size of the Eruv to encompass less than a Beit Satayim (an area of five thousand square Amot) of the creeks, in order to avoid a question of Karpef<sup>1</sup>.

In the portion of the Eruv that relies on utility wires we did not rely on Tachuv. We did not have permission to make attachments to the poles so very wide Lechis plumblined beneath the utility wire were installed. We made sure there were no obstructions (not even tree leaves<sup>2</sup>!) Finally, there are no gaps larger than Lavud (three Tepachim) in the Eruv satisfying the Chumra of the Tevu'ot Shor.

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<sup>1</sup> We also made sure to satisfy the smaller Shiur of Rav Avraham Chaim Na'eh in terms of the size of the creeks encompassed in the Eruv.

<sup>2</sup> There is, however, considerable room to be lenient regarding tree leaves intervening between a Lechi and the Eruv wire since the leaves are hardly a permanent structure ( ).

Much work needed to be done. CRD's dedicated staff worked hard to install new very sturdy Lechis along much of the Eruv perimeter. This involved considerable labor and expense.

The question though became whether we could attach Lechis to RCD's many cabins. The Lechis then would be positioned beneath eaves, which are not acceptable to some opinions. If we would adopt the stringent view, much more construction would be needed, would make a very challenging project even more difficult. Upon investigation it emerged that there is much room to be lenient regarding this issue even to satisfy high standards even not a case of great need.

#### Lechi in a Reshut HaYachid

The concern is that the eaves create a Halachic wall due to the concept of "Pi Tikra Yoreid V'Soteim," the lip of the roof (in our case, the eaves) extends to the ground and creates a Halachic wall. If so, the Lechi would then have to penetrate a Halachic wall which is the subject of considerable debate.

The Mishnah Berurah (363:113) cites the Tikkun Eruvin, written by Rav Yaakov of Lisa the author of the Netivot, who invalidates a Tzurat HaPetach which has a portion of it encompassed by a Reshut HaYachid. The Mishnah Berurah accepts his ruling as normative.

The Netivot sets forth two possible reasons for this strict ruling. One might argue that the Tzurat HaPetach is not noticeable (Nikar) if it is situated within a Reshut HaYachid (such as a private yard). Alternatively, one might claim that the walls or fences that encompass a Reshut HaYachid are viewed Halachically as extending "all the way to the heavens" (K'Man D'Malya; see Shabbat 7a), so the airspace above a Reshut HaYachid is Halachically impenetrable.

For example, a horizontal wire passing through a backyard enclosed by a fence would be invalid according to this reason, as it is Halachically blocked by the "upward extension" of the fence.

Other Acharonim disagree with the Mekor Chaim's stringency. The Aruch Hashulchan does not mention this stringency. Teshuvot Chatam Sofer (Orach Chaim 91 and 96) and Teshuvot Maharsham (1:207) rule leniently regarding this issue when the Lechi is Nikar. Teshuvot Chavatzelet HaSharon (1:20) writes that the custom is to be lenient in this issue. He adds that his father, who was exceedingly strict concerning most Halachic matters, ruled leniently concerning this issue.

Rav Hershel Schachter (in a lecture at Yeshiva University) relates that Rav Mendel Zaks told him that the custom in Europe was indeed to be lenient. The Laws of an Eruv (page 108) notes that it is apparent from many Teshuvot that the custom in pre-war Europe was to be lenient. However, Rav Schachter strongly urges communities to be strict in this matter. This issue has not yet been resolved, and practices vary from community to community.

Accordingly, concern for installing a Lechi beneath an eave begins with a Chumra (stringency) introduced by the Netivot. Moreover, there is a strict version of the Netivot and the more lenient version of the Netivot. Concern for a Lechi placed beneath an eave is relevant only if one accepts the stricter version of the Netivot's Chumra, since the Lechis beneath an eave are Nikkar. Moreover, Rav Yaakov Bloi (Netivot Shabbat 19:19 footnote 44) argues that the Netivot's Chumra applies to actual walls and not to Halachic walls such as those created by the concept of "Pi Tikra Yoreid V'Soteim". However, Teshuvot Beit Shlomo (Orach Chaim 55:4) adopts the strict view regarding this matter.

Rav Aharon Kotler (cited by Rav Moshe Heinemann in a speech to a convention of Young Israel rabbis in the 1990's and in The Laws of an Eruv ad. loc.) adopts the same lenient view as Rav Bloi. Nonetheless, Rav Moshe Feinstein is cited (ibid.) as adopting the strict view in accordance with the Beit Shlomo.

We decided to permit Lechis to be installed on the cabins only in situations where the Lechi will be positioned under one eave but not when it is beneath two conjoining eaves as pictured below. This, as we will explain, satisfies even the Beit Shlomo and Rav Moshe.



### Pi Tikra Yoreid V'Soteim

The reason for this distinction lies in the scope of the rule of Pi Tikra Yoreid V'Soteim. Rashi (Shabbat 94b) believes that we apply Pi Tikra even if there is only one Mechitza (as depicted in the first picture above), Tosafot (Shabbat 94b s.v. Bishteit Ruchot) argue that Pi Tikra applies only if there are at least two adjacent walls and Rambam (Hilchot Shabbat 17:35). The Rama (Orach Chaim 361:2) rules in accordance with Tosafot. The Kaf HaChaim (Orach Chaim 361:31) rules that Sephardic Jews may follow this opinion as well.

Accordingly, since the Halacha follows Tosafot, there is concern for Pi Tikra only when the Lechi is placed beneath two adjoining eaves above two adjacent walls. However, since the Halacha does not follow Rashi there is no concern for Pi Tikra creating a Halachic wall which a Tzurat HaPetach cannot penetrate, when placing a Lechi under only one eave. For this reason we permitted Lechis to be affixed to Camp Ramah Darom cabins when they lie under just one eave.

Rav Yaakov Kaminetsky's Chumra

Rav Yaakov Kaminetsky (Emet L'Yaakov Orach Chaim 361:2) rules strictly even in a case where a Lechi is located beneath only one Lechi. However, with the great respect owed to Rav Yaakov, this seems to constitute an excessive Chumra.

Rav Yaakov's position assumes a quadruple Chumra. It assumes the Halacha is concerned for 1) Chumra of the Netivot, 2) the stricter version of the Netivot's Chumra, 3) the Beit Shlomo's strict application of the strict version of Netivot's Chumra and 4) the lone view of Rashi regarding Pi Tikra which is not cited in the Shulchan Aruch as normative. Such piling of Chumrot in case of a rabbinic law (Eruvin consisting of Tzurot HaPetach may be constructed only in an area in which it is forbidden only on a rabbinic level) seems unreasonable.

### Conclusion

Even though we made a great effort to create a very strict Eruv at Camp Ramah Darom we permitted Lechis to be attached to cabins where the Lechi rests beneath only one eave. Even the Satmar Posek, Rav Shulem Weiss (Tikkun Eruvin 4:4) permits this (even not in case of need), despite the strong inclination of the Satmar community (as communicated to me by Satmar Dayan Rav Mendel Silber) to follow the strict rulings of the Beit Shlomo.

Rav Moshe Heinemann (as reported by Rav Micha Shotkin) Rav Hershel Schachter (personal communication in 1989) agree with this ruling as well. Rav David Feinstein (cited in the Laws of an Eruv ad. loc.) permits placing a Lechi only under one eave in case of need. Our situation at CRD qualifies as a situation of need and therefore we followed the view permitting a Lechi to be installed under one eave.