



The King's Treasures

THE FUNCTION AND AUTHORITY OF A CHABAD BEIS DIN

IN CONNECTION WITH THE 15TH ANNIVERSARY OF THE ESTABLISHMENT OF THE BEIS DIN TZEDEK OF CROWN HEIGHTS, "KAN TZIVA HASHEM ES HA'BRACHA," BY THE REBBE MELECH HAMOSHIACH SHLITA, WE BRING YOU THE FOLLOWING ANSWER OF THE REBBE MH" M TO A RAV IN ERETZ YISROEL WHO HAD FORBIDDEN WOMEN TO GIVE BIRTH AT HOME. HOWEVER, AFTER LEARNING THAT THE REBBE HAD PERMITTED IT IN CERTAIN INSTANCES, HE HAD WRITTEN A LETTER ASKING FOR ADVICE.

IN ADDITION TO ADDRESSING THE SPECIFIC POINTS RAISED IN THE RAV'S LETTER, THE REBBE SETS FORTH VARIOUS GENERAL GUIDELINES FOR CHABAD RABBANIM, ESPECIALLY WITH REGARD TO THEIR AUTHORITY AND THE PROPER WAY TO CONDUCT A CHABAD BEIS DIN IN THE HOLY LAND.

(FREE TRANSLATION.)

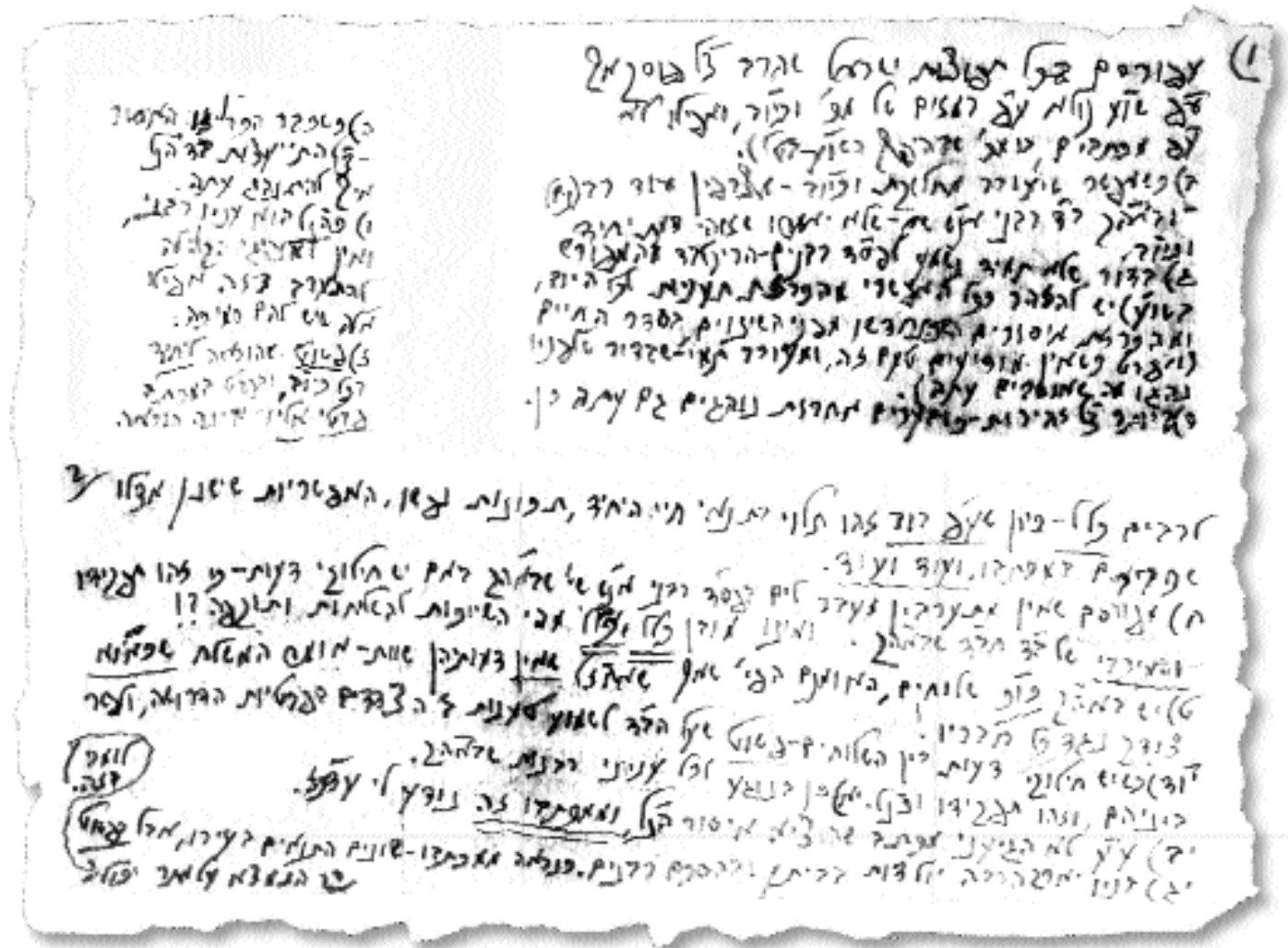
It is understood in all Jewish communities that a *rav* must render decisions only according to the *Shulchan Aruch* (not according to allusions found in a letter, etc., and not even according to letters themselves, for a letter that contradicts the *Shulchan Aruch* is void.)

Where the likelihood of arousing controversy exists, an additional *rav* or *rabbanim* (in Eretz Yisroel, the *beis din* of *rabbanei Anash*) should be brought in, so that people will not say the ruling is only the opinion of an individual.

In a generation that does not always obey rabbinical decisions, aside from what is explicitly stated in *Shulchan Aruch*, one must be very careful to avoid declaring full-day fasts as much as possible, as well as "new" prohibitions that have arisen due to changes in the modern life-style. (This is especially true when no reason is given, as it inevitably arouses the question: Why is this suddenly forbidden now, when it was permissible to previous generations?)

Even more caution is required when the matter in question is permitted in other locations.

Once a prohibition has already been issued, the *beis din* must confer to adopt a course of action.



The above is a rabbinical matter, and community leaders should not mix in unless they themselves are ordained rabbanim.

It is obvious that a directive to an individual, particularly one contained in personal correspondence to him, does not in any way constitute a directive to everyone, as most of the time such directives pertain to the specific circumstances of the individual's life, character, available resources, etc., etc.

It is well known that no other Chabad *beis din* has the right to interfere with a ruling issued by a Chabad *beis din* in Eretz Yisroel in cases of differing opinion; this is the primary function of the *beis din* of Eretz Yisroel. It is absolutely not understood how this can have any bearing on *shlichus* and its authority.

In a case where *shluchim* are in disagreement, it is obvious that the *beis din* must listen to the arguments presented by both sides with the proper degree of attention, and mediate between them. Again, this is the *beis din's* function.

The above applies to all rabbinical issues in the Holy Land.

As of now, I have still not received the letter containing the above-mentioned prohibition. It was only from your letter that I learned of it.

In New York, there are many women who give birth at home with rabbinical sanction. As seen in your letter, the circumstances in your city are different. Nonetheless, it is obvious that only a person who is actually there can voice an opinion.