

# Communications

## KASHRUT LENIENCIES

TO THE EDITOR:

Rabbi Menachem Genack claims (“The Milk Controversy,” *Tradition* 29:2, Winter ’95) that “the UOJCA’s ruling that the milk was kosher was based not on leniencies, relaxation of the rules, *hefsed meruba*, or similar considerations, but on firm *halakhic* ground.” I had thought that *hefsed meruba* was a firmly grounded *halakhic* principle, whose use is no less appropriate than any other *halakhic* principle. And since when has any competent halakhist found it appropriate to apologize for, let alone disclaim, reliance on leniencies?

Halakhic masochism is no value, and, indeed, itself is a distortion of halakhic value. It should be as inconceivable to reject consideration of *hefsed meruba* or solidly grounded leniencies as it would be to reject the principle of *safek deOraita le-humra*. That Rabbi Genack finds it necessary nevertheless to disclaim *hefsed meruba* or other leniencies is a sad testament to the current religious climate.

MARC D. STERN  
Atlanta, GA

MENACHEM GENACK REPLIES:

My friend Mark Stern is concerned that I not be afflicted with the *humra* syndrome.

However, the distinction between *le-hat-hila* and *be-di-avad* is well established in halakha. It is quite proper to take a stringent position when a leniency is based upon *hefsed meruba*—significant monetary loss. This can be demonstrated most graphically by the opinion of Hatam Sofer (*Orakh Hayyim*, responsum #135) who, when dealing with the question of the permissibility of the use of sugar for Passover which was produced in questionable utensils, ruled it permissible in light of *hefsed meruba*. However, he says that for the individual customer, where there is not *hefsed meruba*, there is no reason to be lenient.

## BIOGRAPHICAL MISUNDERSTANDINGS

TO THE EDITOR:

I would like to clarify two biographical misunderstandings in Rabbi Walter S. Wurzburger’s review (*Tradition* 29:2, Winter 1995) of my book,

*Metaphysical Drift: Love and Judaism.*

First, Rabbi Wurzbürger says that I have a “soft spot” for Modern Orthodoxy because such was the “type of Orthodoxy which [I] professed and practiced in [my] youth.” Actually, my immediate family was right-wing Orthodox, as was my Yeshiva of fourteen years, and as was the Hasidic community to which we belonged.

I have favored Modern Orthodoxy because its distinctive incorporation of change into tradition is in my view the best promise of Judaism’s continuing integrity. As I wrote (p. 22), Yeshiva University’s “integration of these opposing forces [religious and secular education] has been an amazing achievement.” My fear is, however, that Modern Orthodoxy will not resolve the *aguna* problem soon enough to relieve women’s agony and to remove a stumbling block for most Jews.

Second, Rabbi Wurzbürger speaks of “all [my] disdain for traditional religion.” He is mistaken. Apart from my difficulty in having a “soft spot” for what I “disdain,” I wrote the following (p. xviii): “Though a secular Jew, my loss of faith saddens me; though I deeply desire the religion, in all of its branches, to flourish, for religion is the essence of Judaism, honesty has been a lifelong ideal. A secular Jew is an incomplete Jew, which means, in my case, an unconsummated person, feeding on religious hosts, ultimately Orthodox . . . .”

I am honored, though, to have a distinguished scholar, Rabbi Wurzbürger, review my book, and for the review to appear in a distinguished journal, *Tradition*.

JEROME ECKSTEIN  
Bennington, VT