



RABBI ELIEZER ZIRKIND

לזכות
החייל בצבאות ה'
לוי יצחק שיחי'
לרגל האפשרעניש' שלו כ"ד סיון
ה'תשפ"ג שנת הקהל

נדפס ע"י הוריו
הרה"ת ר' מנחם מענדל זווגתו מרת
מרים ברכה שיחיו
שפאלטר

Standing Boldly

Written By: Rabbi Mendel Jacobs

Presented here is a copy of an interesting typed note, with an addition in the Rebbe's holy handwriting at the bottom.

The following is the background story:

In Elul 5712*, Rabbi Eliezer Zirkind was drafted into the US army to join the Korean War effort. When he refused to shave his beard and *peyos*, he was threatened by the army's command with up to 10 years in prison, and the Jewish Welfare Board stepped in on his behalf. It was decided that they would consult the opinions of three rabbis. One of the rabbis selected was Rabbi Yosef Eliyahu Henkin, who ruled that Rabbi Zirkind should stand his ground when it came to shaving his *peyos*, but he should be more lenient about the beard, especially considering the harsh sentence he would potentially face for failing to obey the order.

Rabbi Zirkind asked the members of the JWB to also seek the Rebbe's opinion, and a delegation of them came to the Rebbe for *yechidus*.

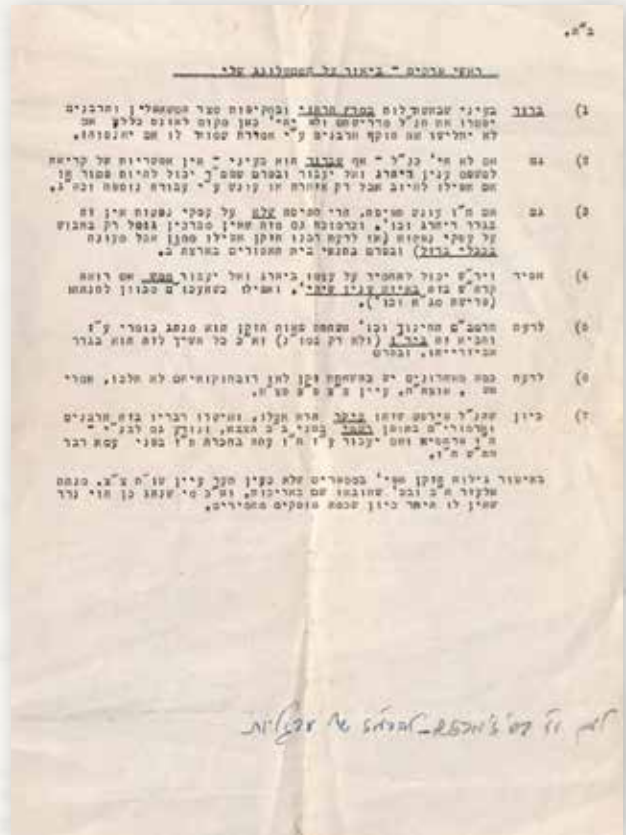
The Rebbe was adamant that Rabbi Zirkind should stand his ground about not shaving his beard too, saying, "Once you accepted upon yourself the ruling of the Tzemach Tzedek [that shaving one's beard is a Torah prohibition], you need to stick with it until the end [יהרג ואל יעבור]."¹

This note is a synopsis of the Rebbe's words in *yechidus*, clarifying his opinion on the matter.²

B”H.

Outline—Explanation of my approach

1. **It is clear** to me that if the chaplain and the rabbis will stand firm and employ **effective, vigorous** efforts, they [the army] will retract this order and there will be no coercion whatsoever. This is providing that they [=the chaplain etc.] don’t impede on the legitimacy of rabbis by stating that it will be permissible [for him to shave] if they force him to.
2. Also: even if this were not the case—even though it is **glaringly obvious** to me—you cannot refer to his being called to court as a life-threatening situation, since he could very well be exonerated. Even if he is found guilty, he may just be given a warning or a penalty of having to do more work [in the army] or the like.
3. Even if he does get sentenced to prison, *chas v’shalom*; going to prison with no chance of capital punishment does not constitute a scenario where one should transgress an *aveirah* to avoid death.
4. An overtly pious individual is allowed to be more stringent upon himself and accept the death penalty—even if this were a life-threatening case, if it will bring about a *kiddush Hashem*, **no matter what the potential transgression is**. This is even if the non-Jewish powers-that-be are only doing this for their own pleasure. (See Prisha, Magen Avraham, et. al.)
5. According to the Rambam, the Sefer Hachinuch, and others, destroying the corners of one’s beard is the practice of idolatrous priests. This is cited by the Rambam [also] in his Sefer Hayad [i.e. as a halachic ruling] (and not only in the Moreh Nevuchim). If so, anything that touches upon this prohibition is in the category of a subsidiary [to *avoda zara*]. Especially considering the fact that:
6. According to several *acharonim*, destroying one’s beard includes a biblical prohibition of “בחקותיהם” וּבְחֻקֹתֵיהֶם “לא תלכו”—not following in the ways of the nations; Imrei Eish, Otzar Hachaim. See Tzemach Tzedek siman 90, 91.
7. Once this fellow [Rabbi Zirkind] publicized that [not shaving his beard] is a **fundamental** part of his religion, and he was officially vindicated by rabbis and Rebbes in front of Army representatives, and other Jews found out about it—it is now considered a matter of public knowledge. If he transgresses this now by force, it would constitute a *chilul Hashem* in public, *chas veshalom*.



Regarding the prohibition of cutting one’s beard even with scissors without destruction of the hairs, see the Tzemach Tzedek’s responsa, Minchas Elazar vol. 2, and the *sefarim* he cites, at length. In that case, one who already keeps this practice can be considered a *neder* which cannot be undone, since there are several *poskim* who are stringent in this matter.

The following line was added by the Rebbe in his holy handwriting:

See the references cited in the sefer “Zayin Arazim” by Rabbi A.Z. Margolis.³ **1**

1. Another version of what the Rebbe said: “Since this is an instance of the US government opposing *halacha*, it is like an example of “עֲרֻקְתָּא דְּמַסְאָנָא” (when a government opposes even a small Jewish custom, and we are commanded to fight for it with our lives—Gemara Sanhedrin 74a-b).
2. Published by Vaad Hanachos B’Lahak for Shabbos Parshas Toldos, 5783.
3. The Rebbe is referring to the sefer “Amudei Arazim” with seven sections, by Rabbi Asher Zelig Margolis.