### **Roots Of Assimilation**

**By Moses** 

have written 20 books on creation of a faith without a Jewish Law regarding con- G-d, or at least divorced temporary problems. I from Him as the Author of earn my livelihood in the Jewish practices and law. business world and am well acquainted with the realities of our youth in today's world. I have spoken and dealt with a multitude of couples who have intermarried. I therefore an competent from a scholarly perspective, as well as realistic in my appraisal of the situation.

Jewish leaders have turned heaven and earth decrying President Reagan's visit to Bitburg's cemetery in West Germany, May 5, 1985, where some 47 SS Nazis are buried. Some have declared a national day of mourning for that same day.

Whatever misinterpretations can arise from such a visit, it is, at most, only symbolic. What is real and not symbolic and what really deserves a national day of mourning and soul searching for Jews is the spiritual holocaust that is decimating the Jewish people right underneath our noses. With a 50% intermarriage rate and zero population growth, how many Jews will be around in another generation?

What is at the root of this tragedy?

The root is a three-letter word that is missing in all the misguided efforts to win the new generation. namely G-O-D. Some Jews today refuse to acknowledge the root of the problem of assimilation. The root is their insistance on tossing G-d out of Judaism.

In the last 30 years. I We are witnessing a new

The first to invent this canard, that Judaism is man-made, were the bible critics in the 19th Century. whose purpose was to delegitimitize Judaism and make Jews outcasts. Their baseless premises have been shredded by Jewish and non-Jewish scholars.

Whose testimony are we to accept, the objective testimony of millions of individuals experiencing the details of the Laws of Kashrus. Shabbos, family purity, prayer, marriage. divorce, and conversion, as recorded in the Talmud and Shulchan Aruch, or the fiction of people living 3.500 years later?

Furthermore, the Talmud volume Baba Metzia. page 92A, and the prologue to Yaad Hachazaka, by Rambam (Rabbi Moses Maimonides), record that there existed millions of manuscripts dating from the time of the Exodus that served as the basis for the editors of the Mishna and the Talmud. These manuscripts were written bythe Jews during the forty years of wandering the desert, as well as during the time interval that passed until the Mishna and Talmud were officially edited and accepted. The authenticity of Judaic practice is its continuous and consistent acceptance by Jews all over the world. For thousands of years, these Laws were practiced in every Jewish home from the giving of the

3.500 years ago. up tos today. This is the power of the Oral Tradition.

Why should the thousands of Jews we are losing to assimilation and intermarriage (without the non-Jewish party converting remain Jews when those who profess to represent Judaism adopt the tactics of our worst enemies? Not only do the anti-Semites try, by falsehoods, to delegitimitize the Divine origin and the authenticity of Judaism. but Jews themselves do likewise. If all that is Judaism is man-made, why should they remain Jews?

Unfortunately, the detractors of Judaism havesucceeded in selling their fiction. That is the reason for the mass exodus of Jews from Judaism. Jews today are too intelligent for the fiction of the detractors.

Can we expect to have non-Jews, spouses of Jews. taught by their faith that it is Divine, exchange it for a Judaism that some Jews claim is man-made? Likewise, do we really expect any Jew to be committed to a "faith" that is decided by men? If certain men can create it or destroy it, why should they not do likewise?

There exists a minimum of hundreds of millions of Judaica books and documents in libraries all over the world, extending from the writing of the Talmud 2.000 years ago up to today. With the exception of the writings of the bible critics and those Jews searching to cast off such Jewish Laws they consider burdensome. which of these millions of books does not accept the Divine authority of all Jewish Laws in our possession today?

Jewish Law is not fixed or monolithic. and there exist variable faces to each law that become operational under changed factual conditions. All these books accept the Divine authority of Jewish Law. Even the sectarian groups in Jewish history, such as the Samaritans, Sadduccees, and Karaites. accepted Divine authority for Jewish Law. They, however, differed regarding certain practices at the start of the schism. In time, they drifted far apart, until these groups disappeared from the scene of Jeish history.

The fact that certain Jews do not practice Jewish

Law does not per se confer the status of Judaism upon their irreligiousity. Even all the other monotheistic faiths accept the Divine basis of Jewish Law, but contend that it has been superceded by their faith. However, Jews were at Sinai thousands of years earlier. Jewish practices and doctrine confirm Jewish belief.

For what makes up Judaism? Is the singing of "Hava Nagila" and "Hatikvah" Judaism? Is the eating of knaidlach, matzo balls. lox and bagel, and gefilte fish with borscht Judaism? Or is the commemoration of the Holocaust, the birth of Israel, or marching for Soviet Jewry all there is to Judaism? Such emotional experiences will satisfy the older generation, who witnessed the Holocaust, but creates only a sour taste for their children and Jews-bychoice.

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Those who preside over the UJA may win a respite to the bitter reality of the number of Jews and "Jews in name only" who contribute. However, the day of reckoning is no more than a generation removed.

There was a time when all Jews, as a result of their lifestyle and being "different" because of the dictates of Jewish ritual, were spared the social plagues and diseases of other people. Now many Jews have been "liberated" and equally share the plgues and misery of non-Jews. Only the wise Jews have insisted on remaining loyal to Jewish Law.

Those Jews who have adopted the convenient way out of marriage, without the burdens of Jewish divorce (Get), now experience a 50% divorce rate and zero population growth.

Those Jews who have ridiculed the many rituals of the traditional Shabbos now experience the same risks of acquiring psychosomatic diseases and heart disease and strokes as the risks experienced by the non-Jewish population because they are not forced to break the tension of weekday activity.

Those who have been "liberated" from the dietary restrictions of observant Jews now lament the incidence of the diseases they are exposed to when eating forbidden food, such as hepatitis associated with

shell fish and tenure solium and echinococciasis when eating pork.

Those Jews who have elected to choose their own sexual lifestyle rather than what the Torah ordains find that their election was pregnant with AIDS and other diseases that can lead to infertility.

Jewish women who observe the laws of family purity have the lowest incidence of cancer of the cervix. Those Jewesses who have different ideas about these practices discover that their risk of acquiring cancer of the cervix equals those of the general population.

In view of all of the above social plagues and diseases the Jew has brought upon himself by adopting the lifestyle of the dominant faiths or the non-religious civil lifestyle, what is the wisdom of all who fight for the right of Jews to adopt such modes of living?

Jewish survival will not come from such practices. Jewish survival can only come from a dedication to the civilization of the Jew, which, in Europe, was nearly destroyed by the Nazis and other anti-Semites who resented the Jews' competitiveness and intrusion into their lifestyle.

No monuments can bring back the six million martyrs. We can, however, keep alive the ideals to which they were committed. The aim of the anti-Semites is to destroy Judaism by exterminating the Jews. Let us counter-attack by marrying, remaining married, having large families, and resolving to observe all the Laws of Judaism, in accordance with the Shulchan Aruch, as Jews have practiced for the past 3,500 years.

The secret for Jewish survival is to accept as truth the 3,500 year conviction of all the Jewish Mar-

tyrs: "Our faith was given by G-d at Sinai 3.500 years ago. It was witnessed by millions of Jews and non-Jews. The Laws existing today, of Shabbos, Kashrus, family purity, prayer, marriage, divorce, and conversion, are those Laws transmitted by father and mother to son and daughter. They were practiced by Jews all over the world from the time of Sinai until today and recorded in manuscripts that served as the basis for the Talmud and Shulchan Aruch. That is why we are prepared to live and die for Judaism. "Am Yisroel Chai LeOlam - The Jewish People will live forever."

Let us hope that all Jews will sincerely adopt Jewish Law, at least in the areas of conversion, marriage, and divorce, for the sake of the survival and unity of the Jewish people.



הים הגדול בתורה ויראה, מצוין במעלות ויייות יזובות הרב משם ה" בר מבחם סבורף יצייני זכר הרב הגאון ישאול אריה יציל (

יי הרבה שנים ביישיבתנו שקד בתורה וראה ברכה רבה בלסייו ביום בג ופוסקים, וראוי הוא להיות מנהיג עדה בישר אלעפ דרכי התורה והיראה, עכ אמרנו לאסמיכי בסמיכת חכמים להיווד

# (רב ומורה הוראה בישראל

וכל עדה אישר תבחר בו תשבע רצון ממנו בעזהית וחפין די בידו יצליח להגדיל תורה ולהאדירה.

הבוח למען כבוד התורה ולומדי רח ניסן תישיו לפק -



RABBI I. I. PIEKARSKI אַ פארסקי 98-30 67th AVENUE ... J. II374

ישראל יצחק פיעקארסקי רב ואב"ד דק"ק בית יעקב פארעסט היללס, נ. י. ור"מ דישיבות תומכי תמימים ליובאווימש

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כאשר ידידי הרה"ג הגעלה איש אשכולת כו' מוח"ר הרב ר' משה הוא למד ויגע הרבת בחלקי שו"ע וכמעט בכל חלקי שו"ע וגם באחרונים, הוא רוצה לזכות העולם ולהסביר הדינים בלשון אנגלי', ועשה כמה וכמה חיבורים, וכמעט הוא מתרגם הערוך השלחן ומה שהוסיף דבר עמי באריכות ע"כ אני אומר יישר חילו ולפעלא טבא.והוא מזכה את הרבים ולכמה פעמים הוא מטביר חומר איסורים ביור"ה ואשמח שבקרוב במהרה יפיצו מעיינותיו חוצה .וכל הכנסות הוא מקדיש לישיבות לילמו וללמד הוראה להורות לעם ח' ח' דבר הלכה . והי' לו מסירת הנפש לילמוד כל חלקי שו"ע עם המקורים . זאת אומרת בין השעות העבודה רבלילה הבכוקר בהתמדה, ובודאי

ע"ז באתי על החתום יום פפח שני שנת תשמ"ג לפ"ק קווינם.

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#### RABBI MOSES FEINSTEIN

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Tel. GRamercy 3-5377

משה פיינשמיי ר"מ תפארת ירושלים בנוא' וארק

בע"ח

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משת פיינשטיין-ר"ט תפארת ירושלים כנוא יארק

כעית

מנת שמעתי שידידי הרב הנכבר פאר, מוהריר משה

מכון בשם "בית מארר מנתם סנדר לתורה והוראה" שמשרתו כעת הוא לתמוך תלמידי תכמים, מצויינים צעירים, שלומדים בישיבות בדולות וכוללים, שיסכימו ללמוד עניני הוראה, כדי שיוכלו לגדל בתורה ובפרע בהוראה בלי הבישול זמן של דאבת ערנסה, והריני מברכו שיצלית בענין זה וגם בשאר ענינים שמוסד זת מכוין לעשות, ושיזכת להגדיל תורה ולהאדירה לתמארת חשם ותורתו.

הכרים לכבוד התררה ביום י"א לחודש אדר שני תשפ"א.

פשה פיינשפיין

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ב"ח

כאשר ידידי הרה"ב אוש אשבולום מוכתר בפו"ם תרומיות החב ר' משה מארם שליט"א מפה עשה על חלק ב' יור"ה ובפרט בהלכות נדג הוא פתרבם כל

הלכות מהערוך השלחן על שפת אנגלי כדי שיכול כל אחד ואחד להבין והוא נוסף משלו , והוא נחוץ מאד מאד , הגם שעשת על כל חלקי שו"ע אכל על הלכות נחת ההא כפעל , והוא נחוץ מאד מאד , הגם שעשת על כל חלקי שו"ע אכל על הלכות נחת ההא כפעט יחיד במינו, ואמינא יישר כות ותשואות חן עבור ובודאי מצו' גדולת להפיץ חידושיו על פני תבל כדי תיאך להתנתג , ואקו' שמיד יצא מהדפוס ויהי' טובה לע ובפרט שאני מכיר לו שהגם שהוא סרוד בעסקיו , והוא גרול עת בכל יום ויום לילמ שו"ע ולכתוב חידושיו וחפץ ד' בידו יצלית . אני מברך אותו שיחי' בהצלחת לזכו את הרבים , ויזכה לילמוד תורת במנוחת והרחבת הדעת.

סאת ידידו חדו"ש והמכרכו הבגם בכ"ם כלב ונפש הפיצה

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יעקב קאמענצקי מאנטי, נוא יארק RABBI J. KAMENTZKY 38 SADDLE RIVER RD, MONSEY, NEW YORK 10982

בע"ה.

אל כבוד הרב תמצוין בפעליו הכבירים , מוחר"ר שליטא שלו' וברכת כל מוב.

הגיעני מכתבו היקר בו הוא כותב: שבדעתו לייסד מכון בשם מבית מאיר מנחם סנדר לתורה והוראה" שמטרתו היא לעודד אברכים הרוצים להשתלם בהוראה, ע"י שיסייעם בסכום חשוב כדי שיוכלו להתעסק בלימודם מתוך מנותה הנפש בלא מרדות ודאגת הפרנסה, ושיש לו לכ' סיכויים למצוא מקורים לזה. ולפיכך הנני בזה לברכו כי חפץ ד' בידו יצלים, ודבר נכון הנהו . מפני שחלק ההוראה מוזנח קצת בישיבותינו. ויתן ד' שיזכה לזכות את הרבים כחפצו וכחפץ המצפה ומיחל לחסדי שמים הכו"ם ביום כ"ד לחודש אדר ב'תשמ"א פה מאנסי אור ב'תשמ"א

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משה פיונשטיין ר״מ תפארת ירושלים בנוא יארק

בע״ה

הנה ידידי הרב הוררד מאד המפורסם השנון ובקי איש אשכולות מו"ה ר' משה שליט"א בן להרב מנחם סענדר מארגנשטרן זצ"ל אשר קבל טמיבון מויבותיו הגאונים בתורה ודעת וגם מאתי לפני כמה שנים.

בן תורה וירא שמים באמת ובתמים ומכירו אני כל העת בשמו הטוב בכל הענעים בהנהגה ישרה ונכונה כראוי לבני תורה וירא השי״ת.

חבר ספר חשוב בשפת האנגלית המדברת ביותר במדינה זו קבץ דברים יקרים ופנינים נחמדים מגמרא ראשונים אחרונים שולחן ערוך ושאלת ותשובות על איסור הפלת ילד שהרופאים אומרים שויכל להיות בעל מום, והרב הנ"ל הוכיח שאסור והוי ענין רציחה יישר חילו, וכבר הגאונים בזמנינו אסרו זה בהחלט גמור, וגם אני אסור זה בהחלט גמור וזה הוי ענין רציחה.

הוי ענין רציחה. ע״כ ידי תכון עמו שידפיס את ספרו ולהפיצם על פני תבל לידע שזה הוי ענין רציחה וגם שקרים והכזבים בזה והשי״ת יעזור שיבטל מעלינו כל גזירות קשות ונזכה במהרה לביאת משיח צדקינו.

והרב הנ״ל ראוי לסמוך עליו במה שלקט וקבץ ואשר יסבירם בדברים נעימים להמשיך את הלב לתורה ולתעודה לבעלי בתים וגם לרבנים וטוב גם לחנך התלמידים שיביא להם הרבה תועלת אשר לכן טוב הרבר שהוא מדפיס ספרו זה להגדיל אהבת השי״ת וידיעת תורתו הקדושה בענינים שהם יסודי הדת וסיום עם ישראל וע״ז באתי עה״ח.

כ"ז תמוז תשל"ט

משה פיינשטייו

## Approbation of RAV MOSHE FEINSTEIN

My friend, the very distinguished Rav Moshe
is noted and acclaimed widely for his Torah scholarship and
erudition. He is a man who possesses wisdom and common sense.
Harav Moshe
Sender was ordained with the rabbinical
degree or semicha by his teachers, the Gaonim at Torah Vodaath,

and also by me some years ago. He is a Torah scholar and one who fears Heaven with integrity and wholeheartedness.

I have known him for the entire period of time since ordination and am familiar with his excellent reputation regarding all matters in regard to his upright and correct conduct as is appropriate for a Torah scholar and one who reveres G-d, who is to be blessed. He has written a very important book in English, the most widely spoken language in this country. He has collected many wonderful concepts and enchanting pearls from Gemorah, Rishonim, Achronim, Shulchan Aruch, and Shealos Uteshuvos (responsa) regarding the prohibition of aborting an unborn child that physicians predict can possibly be disabled. Rabbi is shown that it is forbidden, and that it is tantamount to hurder. May he be congratulated!

The contemporary Gaonim have explicitly prohibited such abortions. And I likewise have explicitly prohibited it; and I consider it tantamount to murder. I therefore support his effort to publish and distribute his book to inform people that such abortions are tantamount to murder. This book will expose the lies and distortions (that advocates of abortion propound). G-d should help us that all decrees harmful to the Jews should be abolished, and that we speedily should merit the coming of our Righteous Messiah.

Rabbi may be relied upon in regard to the material he has collected and interpreted in words so beautiful as to bring the layman and even the rabbi closer to Torah and Judaism. His writings are also beneficial for the instruction of students. It is, therefore, a very commendable thing that he is publishing this book to increase the love of G-d and the knowledge of His Holy Torah regarding matters that are the foundations of the faith and fundamental to the very existence of the Jewish people.

And on this I have affixed my signature of the 7th day of Tammuz 5739.

Moshe Feinstein

## ישראל יצחק פיעקארסקי רב ואב״ד דק״ק בית יעקב רב ואב״ד דק״ק בית יעקב פארעסט היללס, נ. י. ור״מ דישיבות תומכי תמימים ליובאוויטש

ב״ה

לכבוד ידידי הרב הגדול ויראה החרים יהשווז איש אשכולות דורש טוב לעמו כו׳ כו׳ כש״ת מוה״ר ר׳ משה שליט״א.

אני מכיר לו מכבר שלומד בכל יום ויום גמרא ותוספת וראשונים וכדומה ולומד בהתמדה גדולה, הגם שאין לו פנאי אבל הקדיש וקבע עתים לתורה, וגם בהנהגה ישרה כראוי לו.

כאשר חבר ספר וקבץ דברים פנינים מראשונים ואחרונים וגם יש לו תשובה ממורי ורבי הגאון הגדול האדיר שר התורה מו״ה ר׳ ארי׳ צבי פרומער ז״ל הי״ד אבד״ק קאזיגלוב ור״מ ישיבת חכמי לובלין אודות הפלת ילד שאסור מטעם רציחה, וגם אני כתבתי והוכחתי שהיא רציחה בלי שום ספק כלל, וגם הגאונים בזמנינו אסרו בהחלט גמור, ע״כ ידי תכון עמו שידפיס את ספרו ולהפיצם על פני תבל שיראו ויבינו שהוא אסור בהחלט גמור מטעם רציחה, ואקו׳ שיהי׳ תועלת בהסברה שלו בשפת האנגלי ובעברית לפני כל אחד ואחד, ובודאי יקבל כל אחד את ספרו באהבה.

ויכולים לסמוך עליו בדבריו הראוים והנעומים לפני מלכי רבנן וגם עבור בעלי בתים ואברכים ויישר כחו וחילו, בפרט שיש לו סמיכה מגאוני זמנינו וראוי לאיצטלא דרבנן, ובודאי אי״ה יכנסו דבריו בתוך עם ישראל, והשי״ת יעזור שנתבטל מעלינו כל גזרות קשות ורעות ונזכה במהרה בקרוב לביאת משיח צדקינו

בקרוב לב אול מסירה בין קים. ע"ז באתי על החתום יום ט"ז תמוז שנת תשל"ט קווינס ידידו המברכו בכ"ט.

ישראל יצחק פיעקארסקי

### Approbation of RAV I. I. PIEKARSKI

My friend, our revered teacher, Horav Moshe שליט"א is distinguished for Torah knowledge and reverence and widely acclaimed for his scholarship and erudition, and he is one who "seeks the good of his people." I have known for sometime that he studies every day Gemora, Tosfos, and Rishonim, etc. and

ישראל יצחק פיעקארסקי רב ואב"ד דק"ק בות יעקב פארעסט חיללס, נ. י. ור"מ דישיבות תומכי תמימים ליובאווימש

RABBI I. I. PIEKARŠKI 98-30 67th AVENUE REGO PARK, N. Y. 11374

ב"ח

כאשר ידידי הרה"ב החו"ב איש אשבולות מוכתר בפו"ם תרומיות החב ר' משה שליט"א מפה עשה על חלק ב' יור"ה ובפרם בהלכות נדה הוא פתרבם כ-

היכות פהערוך השלחן על שפת אנגלי כדי שיכול כל אחד ואחד להכין והוא נוסף פשלו , והוא נחוץ פאד , הגם שעשת על כל חלקי שו"ע אכל על הלכות נהת ההא כפעם יחיד בפינו. ואפינא יישר כות ותשואות חן עבור ובודאי פצו' גדולה להפיץ מידרשיו על פני תבל כדי חיאך להתנחג , ואקו' שמיד יצא פהדפום ויהי' טובה לעו ובפרט שאני מכיר לו שהגם שהוא סרוד בעסקיו , והוא ברזל עת בכל יום ויום לילפו שו"ע ולכתוב חידושיו והפץ ד' בידו יצלית . אני מברך אותו שיהי' בהצלחת לזכות את הרבים . ויזכה לילפוד תורת בפנוחת והרחכת הדעת.

סאת ידידר חדר"ש רחמברכר בבגש בכ"ט בלב ונפש חפיצה

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Jarry De Greek

**DECEMBER 13, 1981** 

## Non-salaried Orthodox rabbi seeks to unite al who avoid rabbinic jobs

Moshe is an ordained and deeply motivated rappi and scholar who values independence so highly that he pays for it by laboring as an accountant, specializing in serving medical clients. His free time is devoted mainly to reading and study, but he has found time during the last 21 years to write fifteen books distilling his Jewish learning. Making office and house calls to his clients, he averages about three hours a day on vehicles, subways, buses, taxis and trains. These three hours are writing time.

His sub-speciality of medical accountancy, however, is much more than a means of paying for independence from congregational servitude. Revering the tradition of Maimomides and the unbroken generational procession of Jews who expressed their Jewish faith in healing the ailing, Morgenstein has delved deeply into the moral and ethical problems of health care-His latest book, Halachic Perspective;

Bio-Medical Ethics, deals with such current dilemmas as abortion and transplanting of organs. He expounds and upholds Halacha but at the same time empathises with those who have wandered from it or lived without its influence.

#### No need for quarrel

A firm believer in Orthodoxy,

refuses to reject Reform and Conservative lews or even the irreligious. Morgenstern sees no need for quarrel between the Orthodox and the non-Orthodox, recognizing that it can be extremely difficult for strictly observant Jews in the modern,

mechanized, tense world to earn liveli-hoods and fare well in modern society without bending the rules. Instead of quarreling, Mogenstern points to the alterna-tive that is available within the doctrine that. all the words in the Torah and in the commentaries are the words of the Living God. The alternative to non-observance, he says, is to rely on the sages to find solutions. As an example, he cites the problem of Sabbath observance when it might doom the observant person to utter penuny. Such a person can remain observant and solve the economic problem by giving title to his business to a non-Jew so that the business. can continue to serve its customers on the Sabbath. The sages, he says, are magmatic, not platonic."

"I am not a proseculor," he says. "I prefer to be a defender of all I was." The concept of sainthood, he observes is not fully realized. He therefore values even the person who achieves only a single mitzvah. To illustrate, he recites the anecdote of Atzhak Berditchever who told approvingly of the teamster (balagolah) who tinkered with his wagon while wearing his tefilin. The Ber-ditchever approved begatisethe felt that the teamster must have focussed more on the tefilin than his chores, which were only his burden:

Viewing the threatening world scene and the increasing rate of assimilation, he observes that the Jewish people cannot afford a harsh attitude towards those who differ from Orthodoxy

He was ordained by Rabe bi Gedaliah Schorr and Rabbi Moshe Fein stein. He holds a B.S. degree in accounting from Columbia University. Among his file een books are three on medical ethics in midluding Ethics of the Disabled

#### Organizing free scholars

Approaching his fiftieth birthday,

is concentrating on forming an organizations of rabbis and scholars who share in passion for independence of organizational intellectual burdens. The organization is called Bais Meir Menachem Sender Ta-Torah Ve-Hora'ah, and is

dressed to P.O. Box ducting seminary and a Yeshiva-withoutwalls. The organization is to be "Orthodox Jewish, governed in all its functions by the Shulchan Aruch and responsa as interpreted by the Poskim (Orthodox arbiters of lewish Law-Halacha."

## Halacha input seen as valuable in providing guidance in medicine

#### By EMANUEL RACKMAN

subject of major interest to Jews, and perhaps non-lews as well. The lexus people has always had great physicians, many of them were also rabbis, an inext tably aftention had been given to what is rights and what is wrong for doctors to do. The literature is rich even as the

problems are painful and persons of all faiths are section

Recently, these appeared the first in asprojected serge of amonographs by super Rabbi Moshe

ing His work much in some vestion

Emanuel Rackman from that of prederessors. He has as-

sembled the source material and his competence to interpret it is attested as by some of the Helachic grants of our generation. However, he addresses himself not so much to the doctor as to the patient. While he does not compromise his commitment to basic scholarship, he writes as a pleader—pleading with Jews to heed what the Halachia has to say and not only to fulfill God's willbut also for their own physical and spiritual well-being.

Moreover, there is one aspect of the overall problem to which, I believe, no one else has paid attention. He raises an issue that frightens. To what extent is a doctor's recommendation made because he fears a malpractice action and its consequences? And to what extent do doctors yield to the mandates of their hospital directors because the latter also

lewish medical ethics are becoming a have an eye on the possibility of legal action against them and not only against the physician?

Rabbi Morgenstern has had much contact with physicians and while he empathizes with them in their frequent dilemmas he wants patients to know that what is often recommended is not necessarily based exclusively on the patients best interest, but rather on the loctor's protection.

#### Painful analogy

My heart bleeds that such a point must be made for lews so soon after the lewish experience with Nazi physicians and while the notorious Mengele is still at large. Far be at from me even to assocrate the overwhelming majority of physteams with such a villam. That villain actively destroyed human beings as he experimented upon them. He was a mass murderer, if ever there was one

Doctors today are rarely active murderers. But from a moral point of viewwe have to consider the degree to what the doctor is always a free-willing agent. And if Mengele and his associates could pot act morally because of the mandate of Hitler's state how can we be sure that our doctors are morally free agents in the face of orders from their hospitals and their insurers?

project merits Rabbi: support must unpresses me most is his sincere, direct, unsophisticated appeal to lews to recognize that in their medical problems there may be an ethical dimension, and consultation with a rabbi is called for. Most rabbis do not give orders to their "counsellees." Frequently, in private sessions, they are very permissive much more so than they dare to be in public pronouncements. How-co-adencies to emerge, and drameating ever, Rabbi Morgenstern reminds us that it is unwise to make decisions and on the basis of one's own immediate wither or fears and one's conversations ath the floctor

Especially does its urge consultations with a rabbi when the problem is whom er or not so save an abortion specials there are unsurance about the state of the eliberous health. I has a every ensi-tive issue and Lectramy besines to gen-tralize However, there comes to stry ming my own expendance animediately after the Holocatist

d was in Cormany in 1946 for American chaplant dealing with the umblems of the superiors of saw them after their liberation, after they had been ostensibly resoured to rood the left Nor all of course Many were perma-nently manach crippled, impotent. But was impressed by the will and the ca pacity of most survivors to ceinen to normal living all hey wanted to marry and establish families again—for most of them it was a second family, the first having perished in the crematoria

We had to prior thousands of Ketubo (the traditional marriage certificate). In one facility for the housing of displaced persons converted from a ravally staale there was a special lace covered. cubicle where a married couple was per mitted to spend their first week as hongymooners. On one occasion I ordered ten thousand layettes from the military government so fast was the birth rate growing. And then one day a doctor a fine sensitive Holocaust survivor him self-tempered my enthusiasm.

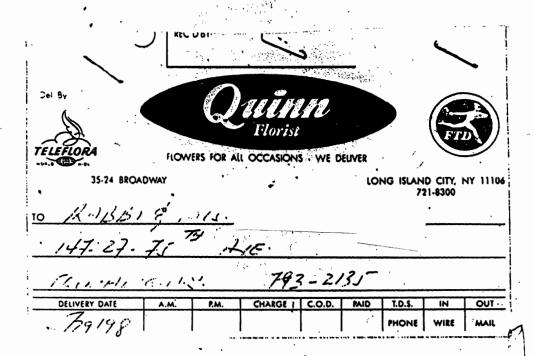
You think," he said, "that they are all back to normal health? Not at all. The pregnancies will first cause hidden defi-

To per active how many women will see Two childbirth, nor do liknow how man to the children will be to

there never forgotten that convenience of 35 years ago: And often, I gay to myself thow to runates for the leve that the survivors were not aware of all Tears!" Rerhaps they would than a mile a half to naving children Perhaps they pointd not now be second reneration of anicologies. It has a managed these are and generation offspring. They are an toginable asset 10 int jewie et en nd a replice that the tiegs rabied unexpressed to the county of the who with healthy instance contributed to the reconstitution of the revenience

addicesses tionself to a similar problem. Doctors ment our respect and our confidence. But some times our should consider aspects with result to which they may not be the care sitive derait éthicist or a Malaidhis. And sometimes tauth is not only a good time but a healer. I write with awe and the 11dation. I carely have the black and white answers that others may have Hull I do know that even to get a grey at swer calls for consultation with many experts and the final decision can then be executed with self-assurance that the most extensive counsel was sought and

wWhenthegame is really to be or not to be -and one does not have to decide in a hurry—then to solicit counsel from diverse perspectives is in order and these should include the Halachie per spective ....



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February 1, 1999

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Dear Rabbi & Mrs. Morgenstern:

Please accept this as a token of our appreciation for your help, understanding and patience.

Words cannot express how grateful we are for what you have done for our family and for your cooperation with regard to our financial situation. Please know that we will send you the money as soon as we are able and as often as we can.

We hope you will continue to help many other women become free.

With our deepest thanks,

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gain, Thank you for assisting a very happy couple. Regards,



#### CHAPLAIN BENJAMIN J. ELSANT

### عَشِٰ عَشِٰٰٰٰ عُنْہُ

Dear Rabh

1 /c Vife

you and your wrfe are engaged in a most wonderful mityvah, a real pto 13/20. I didn't realize how much misery there is in this world, all in the name of the orthodox Religion and in the same of God. and some of there other Rabbis, who criticine you, are taking money from these people on the Trague promise that they have the magical power to convince the horrible husbands to participate in a Set. Each & every husband is getting so much out of not giving a hiroce (bet) why should they change?

3/22 5 2 to you. But you must impress on
there people, as they all pay for a bet from other
Rabbis, they have to pay for a bet from you, otherwise your und cannot continue.
Respectfulay

JWB COMMISSION ON JEWISH CHAPLAINCY

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Rati BA Elsant

the is also on the some page as the Rov. We can't have very Rabk giving out price, just like the Rov pain But please talk to Raby Morganatem and lister to his wast burnledge. He the Raw paul in a most sur point in the Raw article that denies the most learned present in the good to you and your,

Respect fully Benjand.

#### YOUR RABBI ATE PORK — WHAT DO YOU DO?

You are the member of a shul in New Jersey that decided to take a kosher trip to New Orleans and the Louisiana Bayou country. Several hours out of New Orleans your steamboat docks in the Bayous and you embark to a Cajun restaurant where you can at least enjoy the drinks. As you are standing in line waiting for some refreshments you are astonished to notice that your cousin's Orthodox rabbi from Michigan is eating a Cajun pork dish. You call this to the attention of members of your group who are in shock. You and your spouse go over and confront the Rabbi, who says so what I do what I please on my vacation! Meanwhile, several congregants have snapped his picture.

Upon return to New Jersey you notify your cousin of the incident. A Bet Din is sent to New Jersey to get positive identification from eyewitnesses.

The Bet Din's final verdict is that the Rabbi ate pork. The Bet Din's findings are presented to the membership of the congregation who must vote whether to fire the Rabbi or not.

#### FOOD FOR THOUGHT

. What exactly is the nature of the sin that the Rabbi did?

2. Should his congregation get rid of him?

3. In the event that the majority of the shul vote to keep the rabbi what is the responsibility of the minority membership?

Leaving the question of chilul HaShem aside, the sin of eating pork is Malkot, lashes (Hil. Ma'achalot Asurot 2:2). Certainly a rabbi that has done this is to be "thrown out on his ears" by the congregation, as verified by eye witnesses; which according to the Chachmat Adam includes women who qualify as "eyd echad ne'eman b'isurin."

If the congregation decides to keep the rabbi by a majority vote then the pious minority have a question to resolve whether they should leave the shul or stay and fight until the rabbi is thrown out in accordance with "He who has the power to protest and fails to, is held liable (Avoda Zara 18a)."

What would be the case if the rabbi did something far worse then eat *chazir* and did it publicly in the newspapers or in front of his congregation - a sin for which he incurred excommunication? How much more so is this rabbi to be thrown out and not listened to (S.A. Choshen HaMishpat 8:1). The Jerusalem Talmud (Bikurim 3:3) cites rabbis who disparaged corrupt rabbis and encouraged the people not to call the corrupt; "rabbis," and when beholding them to "regard the *Talit* they wear as the saddle packs of an ass." Simply put any rabbi who disgraces his calling is to be removed (Kitz. Shulchan Aruch 144:7). His ordination is to be considered "the table for a drag." Full and wid like the dust of the cart. 'batel k'afra d'ara" null and void like the dust of the earth.

#### GII III NAAT IN DEFENSE OF RABBIS AND RACKMAN BY THE 24 MEMBER BET DIN ELYON OF AMERICA FOUNDED IN 5735 (1974) BY DISCIPLES OF THE MOETZET G'DOLAI HATORAH

Why did we place this ad? Because several rabbis have had the chutzpa to libel gittin emanating from halachicly valid rabbinic authorities. The authorities include Rabbis Emanuel Rackman and Moshe Morgenstern. They have not been working in a vacuum. Their gittin have been subjected to scrutiny by other Rabbis including members of our "Gait (the popular word get, is incorrect it is written with a tzeirai not a segol) Commission" including Rabbis Moshe Antelman, Mordechai Friedman, Tarbiyahu Gilner, Yitzchak Jacobson, Kuzriel Meir and our Av Bet Din's Rebbe z'l (d. 4 Tevet) Naftali Steinberger, Rav of the Bet Knesset HaGadol, Rehovot, and Supervisor of Talmudic studies for the Ministry of Education of Israel. He was engaged by Rav Moshe Feinstein z''l and Education of Israel. He was engaged by Rav Moshe Feinstein z'' and other G'dolim to create curricula in Talmudic studies in American Yeshivot. He was considered to be among the greatest living Talmudic authorities of our generation; a disciple disseminating the teachings of his revered Rebbe, HaRav Reuven Katz z'l, Rosh HaYeshiva Lomza. In his Sh"uT "Degel Reuven" Rav Katz held HaRa'at Kidushin, marriage annulment a valid procedure. Those rabbis who have libeled the gittin deserve excommunication. This is written in granite in Jewish law. It is called the Cherem of Rabbenu written in granite in Jewish law. It is called the Cherem of Rabbehu Tam and is to be found verbatim in the last Mordechai of Gittin (455). Furthermore it has been reiterated by G'dolim throughout the generations. Exemplary of this is a letter written by R. Yechezkeil Landau the Noda B'Y'huda; against some of the greatest rabbis of his time for libeling a gait. He declared in a Letter of Condemnation to the Frankfurt Bet Din: "In order to defend the Honor of Heaven and the Honor of the Torah in regard to the regulations pertaining to the daughters of Israel... whomever shall slant. lations pertaining to the daughters of Israel... whomever shall slander this Bill of Divorce... if his stature be that of a cedar he shall not escape the net of the excommunication of Rabbenu Tam (Prague 4 Tishrei 5528 (1767)."

Rav Moshe Feinstein in our time repeated the theme stating that

Nav Moshe Feinstein in our time repeated the theme stating that one must not libel a gait arranged by a duly ordained Rav... "and it is forbidden by anyone to dispute it according to Torah Law (Igrot Moshe EH 1:137)." This was said of any Rav. R. Moshe is a musmach of Mesivta Torah V'Daat as well as or R. Moshe Feinstein. Furthermore, he interned under Rabbis Feinstein and Yisrael Pekarski in marriage and divorce cases for 30 years. If he is not qualified for adjudicating gittin, then who is?

The Torah is "Morasha Kehillat Ya'akov" (Deut. 33:4), an heirloom of the entire Jewish people. It is not the property or the exclusive domain of the Rabbis. We are fiduciaries of the people. Those Rabbis who disparaged these gittin are to be thrown out on their ears. If not, then congregants who refuse to do anything about it are accountable to God. Furthermore, each and every Jew should realize that these libeling so called rabbis are our enemy. Rabbenu Tam and the great sages realized that to libel a get would mean that eventually all Jews would automatically become mamzerim.

## Court

As debate sw in letter to U

#### LAWRENCE COHLER

longstanding leaders crysta that will decid with spying f

Offering the first spec foreign minister said Mo charges of illegally gather itary information, and ha

Foreign affairs chief 1 tional calls for the release ereignty of the Islamic R

But in contrast to me avoided referring to the a sized that they would rec linked to a correct legal r.

"At present, they are o issued," Kharrazi stressed

The foreign minister press agency, came in a l Annan just one day afi Khatami issued a sweepii gal system.

But Iran's supreme lea staunchly defended the c same conference of jurist

Analysts pointed to the a deepening split between erates in Iran's political h

It is a split, they said, v fate of the 13 Jews, who onage.

The Jews, from the ci rested in two sweeps, in . and the charges of espior on June 7. The suspects teachers and a ritual slau Human Rights Watch are have issued alerts on their

Meanwhile, a June 23 ported that three of the 1 strict illegality in the stau 13 in general, said the rep their alleged contacts wit legally importing prayert

Advocates for the Iran experts, said that such con be likely to convict them

But some feared it co

#### RABBI MOS

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To Rabbi & Mrs. Mashe

Words can say
so little
when someone's done
. so much.

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#### CHAPLAIN BENJAMIN J. ELSANT

#### J M B Y

Dear Rabbi a. Burum,

It was nice that you wrote to me. Thank you allow me to explain my relationship to the Rard" When I trok my Smeha Berlind, he was one of the sid The DINE Right Part more than 35 minute. There wornt on thing they asked me that I did not know, thoroughly. When I came but in . The Raw was efferme in my praise. He called me the "Rav." When it came to signitue Smide, all the member I am group were afraid. The Rarbas executive. He was known to song," What you want to be a Robh', So learn more, and he wouldn't augn. It became known, I no other for world sign where the Kar" signed furt. I tall the group "He praire for me was so high, I live no concern". So, I took my Suche, my hoder, Dogy miller & three others and went to see him. The some praise, wanth was quan to me, and He signed muit at all the other find I brought with me. My love for him knows no bounds.

Reth Ferration, 50 & Reth Yitzelah Elebaran and ble Ran "To well mathe some page. I. it is a very perilous minefield. I am afroid that there who dispuse them could be not leaved everyle. I don't believe that there is anyme today who mas more about I've them Rath Morgasteran this you was talk to him?" This you were them of his N385 in what way of she said about I've

JWB COMMISSION ON JEWISH CHAPLAINCY

Mank you -Oy oppour you some day. bear send a Var On The Tews,

#### "Simcha" from Acco, Israel.

My husband belonged to the so-called "Russian Mafia." It's been over 14 years since he just disappeared. It's likely that he's dead, murdered by a rival faction. The other rabbis all want conclusive evidence that he's dead before I can remarry, so I'm chained to a dead man.

Rabbi Antelman's Court found a way to free me and now I can marry and live a normal life.



#### "Habiba" from Tel Aviv, Israel.

My then-husband went off to Canada fourteen years ago, abandoning me and his young children. He still refuses to grant me a *gait* - a Jewish divorce certificate. Thanks to Rabbi Antelman and the Supreme Rabbinic Court of America, I am now free to remarry and to continue to raise my children properly.



#### "Dorothy B." from London

My husband was a savage. He used to beat me to a pulp whenever the mood struck him. He raped all of my sisters. At the end, when I couldn't live with him any longer, he threw my down a staircase and almost killed the baby I was carrying.

The local rabbinate said that unless he voluntarily gave me a gait, they couldn't help me!

I thank God for the day I heard about these compassionate rabbis from the Supreme Rabbinic Court who annulled my marriage and freed me from this animal.



#### "Esther" from Philadelphia, PA

Just ten days after my second husband and I were married, he abandoned me. He had pummeled me severely, and threatened to choke me to death. I knew that he was serious and that some day he would carry out his threat.

 He has been diagnosed by a psychiatrist as some type of psychopath - I'm not sure of the technical name.

The rabbincal courts explained that they couldn't do anything unless he voluntarily granted me a *gait*, which he naturally refused.

Rabbi Rackman and annulled my ill-fated marriage and saved me from certain death. I am eternally grateful to them.



#### "Hazel" from Brooklyn, NY

My husband changed from a kind man to an alcoholic, compulsive gambler, and finally, a drug abuser. For ten years he claimed he would be able to "straighten himself out," and he went from one expensive rehabilitation center to another.

I finally couldn't tolerate his behavior any longer and refused to allow him back. The established rabbinical courts told me to treat him with love and sympathy so that he could mend his ways - but they didn't have to live with him!

He absolutely refused to consider giving me a gait, because everything, the rabbis had concluded, "was my own fault."

Rabbis 1 and Rackman finally liberated me from this nightmare marriage and now I'm free to look for a good man and live the rest of my life in peace.



#### **AGUNA FILES -- PERSONAL STORIES**

ting himself to the will of Allah, he insisted that I submit to his demands!

He has since married two Moslem women and has fathered 14 known children. But he demanded that I give our five children to him so that they, too, could be converted to his new faith or he would never grant me a Jewish divorce. Without the gait, I would be deprived of a husband and male companionship forever.

There is no power on earth that could force me to permit my children to abandon their faith, so I was sentenced to a living death

But Rabbis Antelman. and Kuzriel Meir were able to find the *halachic* -religiously acceptable - grounds to grant my annulment. Now I am free, "unchained" again. May the Almighty bless these righteous rabbis.



#### "Lucy" from Brooklyn, NY

My former husband is a psychotic - a manic depressive, I believe that the current term is bipolar disorder - and a convicted felon. He's currently serving an extended prison term. He made my life a living Hell; I can't even begin to describe the physical and emotional abuse I suffered. His second wife was driven to take her own life and if I had been forced to remain with him, I surely would have resorted to suicide as well.

He refused to grant me a *gait*, a Jewish divorce so that I could live a normal life, unless I paid his blackmail. I was willing to pay any price if I could to be free of him, but his demands changed almost every day - when he was around.

Other rabbis didn't want to help me, but Rabbis Rackman and n found a way to annul our marriage. Even it many Orthodox Jews find their procedures flawed in some way, I know that at last I'm free of him and can salvage the rest of my life. I'm sure that God Almighty wants all the other rabbis to treat women as fairly as they do.



#### "Blondie" from Brooklyn, NY

My ex-husband is a sexual pervert. He engaged in perverted sex acts with other women from the first day we were married. I was so naive I didn't really know how to handle things.

He's also a compulsive gambler. He regularly ran off to Atlantic City for gambling and to satisfy his abnormal sex needs.

He refuses to support our children and won't agree to granting me a gait unless I pay him a large sum - which I don't have - and perform certain sex acts which are repugnant to me. Although I've been in this situation more than ten years, the rabbis in our local divorce courts say that they can't help me; I should accept it and be a better wife so that he'll treat me better!

Now that I've found these compassionate rabbis who have annulled my marriage, I am free of the threat of blackmail - and can rebuild my life.



#### "Galila" from Haifa, Israel

My Jewish husband converted to Islam, joined the PLO, and is wanted by the authorities for the murder of 5 Israelis. For twelve years I lived in a purgatory where I had no husband and couldn't marry or even see another man.

Rabbis Antelman, Meir, and found halachic grounds to end my marriage and renewed my faith in Judaism. Now I can legally find a good husband and get married again.



#### AGUNA FILES -- PERSUNAL STURIES

#### "Shaina" from Long Island, NY.

My husband was a vicious thug who usually neglected me completely. The only time he paid attention to me was when he beat me mercilessly. He told me to go look for other men to satisfy my needs for affection and sexual fulfillment because he didn't care about what I did.

I was totally depressed and lost all my selfesteem. When I finally summoned the courage to do something, I felt my only choices were suicide or leaving that man.

I made the dreadful mistake of confiding in two prominent "divorce court" rabbis. Instead of maintaining my secrets - as I had thought they were obliged to do - they voluntarily decided to turn this information over to the courts and to make it public. As a result, I lost custody of my children to their depraved father.

Because of the way they had betrayed my confidence, I sued these rabbis for ten million dollars. Somehow, Social Services then received information that I was an abusive parent and I lost visitation rights to my children. It took me almost three months to defend my reputation and to regain the right to see my children.

Rabbi Rackman and Rabbi n succeeded in annulling my unfortunate marriage, but their annulment is recognized by only a minority within the Orthodox community. Shortly thereafter, some "unknown party" broke into my home at 1 AM and beat with a baseball bat. I guess someone hoped to teach me the lesson that rabbis are above the laws of our country and that I should drop my law suit against our venerable "sages." I was taught, instead, that an open-head wound eventually heals but the scars that our "learned rabbis" inflicted on my soul will remain forever.

But that's not all. My ex-husband has been spreading rumors that I'm an adulteress. He has

received the usual recognized gait - Jewish divorce certificate - but has never authorized the rabbis to deliver the decree to me. Without it I'm still not divorced, according to most religious Jews. This leaves him free to go his way as a divorced man and it makes me - in the eyes of the orthodox Jewish community - an adulteress. Can you believe it?



#### "Yetta" from Spring Valley, NY.

My ex-husband is a convicted felon and a drug addict who was sentenced to 75 years in prison at the end of 1996. He came close to murdering me when he split my head open with an ax. He has sworn that he will never grant me a gait.

Since he didn't succeed in his attempt to kill me physically, he is determined to torture me to death emotionally. As a "still-married" woman in the Jewish community, I can't date other men or get married or have sexual relations with anyone.

The courts had found sufficient justification to issue an "order of protection" to keep my husband from harming me. But the "divorce court" rabbis, siding with the man as they always do, convinced me that if I relinquished the court order, I would receive my gait. When I complied, my husband was able to enter my home and he nearly murdered me, thanks to the meddling rabbis.

Although there are some Jews who refuse to recognize justice and reality, my marriage has now been annulled and I am able to go on with my life.



#### "Aviv" from Petach Tikvah, Israel

Twenty-nine years ago, my husband decided to return to Morocco and to convert to Islam, the religion of submission. But instead of submit-

#### AGUNA FILES - PERSONAL STORIES

#### "Chava" from Portland, OR

My husband systematically abused me. He practiced psychological and physical terrorism. My body had barbaric marks as a result of his constant beatings. Worse, he made me feel completely worthless. He refused to accept our daughter because she was a female and he wouldn't visit me in the hospital after her birth.

Then he threw me out of the house because I couldn't concentrate and failed my comprehensives for acceptance in a PhD program. This meant he'd have to do with less of my money. He never worked, never supported the family. I had to work, to be the provider - in addition to being a housewife, mother, and student doing graduate studies.

After we separated, he refused to grant me a gait so that I could seek happiness in some new relationship. It wasn't that he wanted a reconciliation; he simply demanded a payment of Five Million Dollars! This terrorism was "negotiated" by rabbis who were supposed to be helping us.

Fortunately, I heard about Rabbis Rackman & ' and the Supreme Rabbinic Court of America. They found a way to grant me a religiously acceptable annulment so that I could get on with the rest of my life. My former husband, his family, and the greedy rabbis were incensed - not that I was finally free of being a victim, but because they couldn't collect any money. I understand that the "impartial" rabbis were being given a fee of 10% of whatever he could extort from my family through their "mediation."



#### "Deena" from Queens, NY

My ex-husband was a brute who never hesitated using his fists and beating me to a pulp. He constantly threatened to kill me and my parents if he did not get his way. He was diagnosed as hav-

ing a psychotic personality disorder.

I have been told that I'm quite beautiful - when I wasn't black and blue - but my husband spent more time with his male lover than with me. Eventually he just left me and our children for his homosexual lifestyle. Although he is a prominent millionaire, he refuses to support me and our children. He used the refusal of granting me a gait - a Jewish divorce certificate - as a means of further impoverishing his children and making my life a living hell.

The rabbis of a Queens religious court, to which I turned for help, told me that I should relinquish all monetary demands against him - alimony, child support, etc. - and give up custody and visitation rights to our children, or else I would never receive a gait. My suffering and abuse meant nothing to them. I was the one who would have to sacrifice if I wanted to lead a new life!

These Rabbis of the divorce court must have been paid very well by him to arrive at such a decision. They counseled me to think of myself as a Holocaust survivor who was fortunate to survive with my life and the gait," and to use it to start a new life for myself. Just forget all of the suffering, forget my children, forget the years I spent trying to hold a family together, and gift it all to him!

Thanks to Rabbi Rackman and Rabbi

my marriage was religiously annulled. Now I am free to date and, maybe some day when the emotional scars have healed, to marry again. Since the rabbinical blackmail is finished, I have the self-confidence to pursue my legal, financial, and custody rights in the courts.

It's not finished yet, but these rabbis have given me the will and the means to go on living and fighting for my dignity.



Rabbit Mosel Man.

Rabbit Man.

here's a feeling of pleasure
in letting you know,
You deserve many thanks
for the kindness you show.
People like you
are so rare and so few,
It's a privilege to know
someone as thoughtful as you!

Thankyour adding a crucial
Thankyour adding a crucial
Thankyour adding a crucial
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