

OHEL MOSHE

HASHEM ELOKANU

EMET

MOSHE EMET

VETOROTO EMET

G-D OUR G-D IS

TRUTH MOSHE IS

TRUTH AND HIS

TORAH IS TRUTH

MOSHE SISELENDER

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INTRODUCTION

1. Before we dive into the controversies explored in these responsa we must first set our bearings . Let there be no mistake -THE SURVIVAL OF THE USA AND ALL ITS CITIZENS REGARDLESS OF RELIGION RACE SEX OR NATIONAL ORIGIN AS WELL AS JEWISH UNITY AND SURVIVAL OF EVERY JEW AND THE SURVIVAL OF A JEWISH STATE OF ISRAEL SUPERSEDES AND MUST BE OUR FIRST PRIORITY. PEKUACH NEFESH DOCHE KOL HATORAH KULO -THE SAVING OF LIFE SUPERSEDES ALL THE TORAH. WE WILL NOT BE SILENCED TO EXPRESS OUR CONSTITUTIONAL RIGHTS HOW TO ACHIEVE THIS CRITICAL BATTLE AGAINST TERROR FROM THE ARAB FASCISTS WHO WANT TO DESTROY DEMOCRACY AND CONQUER THE WORLD FOR THEIR BRAND OF ISLAM. THEY WILL DESTROY IRAQ ,EGYPT, JORDAN, LEBANON , SAUDI ARABIA- ALL THE SUNNIS AND THEN GO ON TO CONQUER THE WORLD AND CONVERT THEM TO THEIR BRAND OF ISLAM.

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willing to annul their marriage. Witnesses and judges not accepted according to Halacha are acceptable if the litigants agree or the community votes to accept them. Choshen Mishpot 7:11; Chapter 22; 37:20, 21 Shach Sma Ibid Aruch Hashulchon Choshen Mishpot 15:3;

Chapter 14 -Curing Domestic Violence- shows that the threat that their marriage will be annulled is the solution for men to cease abusing their wives.

Chapter 15 -Testimony of convert regarding his or her conversion ; or woman that she is divorced , a widow or that facts exist that precipitate an annulment are accepted -when there exists no independent testimony of two competent witnesses that contradict the testimony of the convert or the woman. Aruch Hashulchon Yoreh Dayoh 268:14,15,16, Even Hoezer 17:119, 152:5; Responsa Nodah Beyehudah Mahdura Kama #38.

Conversions. This chapter divorces Halachic Judaism from the corruption of those individuals who exploit the law to their own advantage. It demonstrates that post facto hundreds of thousands of converts and their extended families are Halachically Jewish. They should be welcomed into the Jewish fold and encouraged to continue a comprehensive Jewish education to become fully observant Jews and Jewesses. Post facto the conversions, marriages and divorces of non Orthodox rabbis are valid , if done in accordance with Halacha-Jewish law and certified by two Rabbis who have mastered and observe the four parts of the Shulchan Aruch that Halacha was strictly followed. These rabbis were present through out the entire proceedings. If three Rabbis who have mastered the four parts of the Shulchan Aruch were present no witnesses post facto are needed. Consequently even if non Orthodox Rabbis, who are non observant, sign the Get or witness the giving of the Get , it is still valid. This would be true even according to those authorities that consider non Orthodox rabbis, who are non observant, as incompetent to officiate as witnesses or be part of a rabbinical court. Their signature on the Get or their witnessing the giving of the Get is irrelevant. See Nesivas Hamishpot Choshen Mishpot 36:10; Ktzos Hachoshen Ibid.

However the rabbis who have mastered and observe the four parts of the Shulchan Aruch can never be part of the team of rabbis witnessing the event .Otherwise the entire group become disqualified under the theory of adim shebotlu miktzoso botlu kulo. When competent witnesses are part of a group of witnesses together with non competent witnesses the entire group become corrupted because of the non competent witnesses. See Igros Moshe Even Hohezer Vol 4 # 46.

However if the competent witnesses articulate that they refuse to be witnesses of the factual event- they are merely spectators to observe if the non Orthodox rabbis did actually follow Halacha then possibly the law would change and they do not become disqualified. However this explanation is very strained . Non Orthodox Rabbis by definition do not accept that the Written and Oral Torah are given by G-d. As such they in effect create an other religion. They publically call themselves and their temples Reform or Conservative in order not to be accused of fraud. Therefore they are not competent to officiate as witnesses See Rambam Laws of Aidos Evidence

10 ;3; Laws of Tsuvah 3:9 ; and Laws of Rotzeach Ushmirot Hancfesh 4:10; See Igros Moshe Even Hohezer vol 4 # 13:3,4 See Sanhedrin 27a ;Avodo Zoro 28b.In addition , even if they would have mastered the laws of the four parts of the Shulchan Aruch IF THEY DO NOT OBSERVE THEM they are deemed incompetent to officiate in any capacity in religious functions -marriages divorces conversions annulments or state a Rabbinical ruling in any area of Jewish Law. THE CURRICULUM OF THE RABBINICAL SCHOOLS OF THE NON ORTHODOX HAVE VERY LITTLE TIME DEVOTED TO TALMUD AND THE CODES OF THE FOUR PARTS OF THE SHULCHAN ARUCH.

It takes 10 years of intensive study of Talmud and Codes to get ordination in an Orthodox Rabbinical seminary. It takes a lifetime of study of the same material on a more advanced level to be able to master the four parts of the Shulchan Aruch. Obviously the non Orthodox who do not accept the laws as divinely given see no reason to spend all this time and become experts in an area that they do not believe in . If they do not accept the fundamental principles why bother to master the loopholes to get around the restrictions and roadblocks ? Their members and supporters who hire and fire them do not require such knowledge. Everything is permitted. The only authority is the clergy man or his associates in the organization of Reform or Conservative "Judaism" .. As long as as it is acceptable and accommodating to their clients this is sufficient. Thus the Reform accepted the practice that a child from of a Jewish father and non Jewish mother is Jewish needing no conversion even though it departs from 4000 YEARS OF Jewish tradition.

Basically non Orthodoxy is an other religion created by men who have explored what non observant Jews practice or do not observe and place the mantle of acceptance to such behavior. Thus their members buy their product that they call "Judaism" . They will market their product and change the rules and procedures over time to suite the fancy and degree of observance of their congregants. Like good business people they will compete among each other -Reform and Conservatives -to win the market of various groups that are ordinarily shut out from acceptance by traditional Judaism like homosexuals and lesbians and converts who do not want be burdened by additional rules. Thus in order to accommodate the population of intermarried couples the Reform agreed to have the child of a Jewish father and non converted non Jewish mother be considered Jewish.

Since the non Orthodox do not accept the Divinity of Jewish law they are free to amend any law and create new laws and procedures to accommodate any group. They will even accept two contradictory procedures to keep clients who have opposite needs happy. Ish kol hayosher beainov yaase Each person or congregation can do what ever they decide and remain within their umbrella of acceptance. Each person can shape the religion and create his own god in his own image. Rather than G-d creates man and woman in His Image, the non Orthodox create their own gods in their image. The ancient pagans ascribed to their gods all the weaknesses and vices of mortal man. The Non Orthodox once their committee of elders vote on religious procedure have the power to accept what their votaries desire . Thus the Conservative law

committee voted in December 2006 to have each individual congregation accept or reject homosexuality and lesbianism. Thus they were able to compete with Reform for the population of homosexuals and lesbians in order to replenish their dwindling membership ranks. Otherwise they will soon go into oblivion. This was the same motivation for accepting women rabbis and cantors. Their seminary will accept and ordain homosexuals and lesbians, although homosexuality is explicitly prohibited in the 4000 year tradition of Judaism. One school of thought of the Conservatives now splintered into the Reconstruction "Judaism" "question the very existence of G-d and deny the revelation by G-d of the Torah at Sinai 3400 years ago. -If there is no G-d how can there be a Revelation? THUS EVERYTHING AFTER THIS HERESY IS PERMITTED. The first president of Israel Chaim Weitzman rightfully called the Reform and other non Orthodox the empty page between non Judaism and conversion to Christianity and Islam. The ever decreasing number of Jews lost to intermarriage and conversion to other religions testify to the accuracy of Weitzman's prediction. A large portion of the blame rests on the shoulders of the Reform and Conservatives. IF THEY CAN CHANGE AT THE DROP OF A HAT 4000 YEAR OLD PRACTICES WHY CAN'T ANY Jew do the same? Who needs their approval?

Such non Orthodox Rabbis when they convert a non Jew do not convert them to become Orthodox Jews and observe 3400 year halacha -given by G-d and accept divinely given theological philosophy. The converts who come to the non Orthodox are aware who they are. If not, after they attend their conversion classes discover how they differ from Orthodoxy. They are told that it is permitted to violate Shabbat. The dietary laws are not obligatory. The laws of family purity are not obligatory. The 13 basic principles of faith are not part of non Orthodoxy. It is this new religion that the convert accepts. There may exist as part of their conversion ceremony circumcision -similar to what Orthodox Jews accept. They also have the convert dip in the Mikvah. But non Orthodoxy is in effect an other religion See Radvaz in responsa that any religion that does not accept the authenticity of the Written and Oral Law is an other religion. Jews are mandated to elect to be martyrs before they agree to accept an other religion. The fact that a large segment of Jews are affiliated with the non Orthodox does not in any way grant the non Orthodox any legitimacy. Whatever our theological differences we all are Jews from a nationalistic point of view. Anti Semites hate all of us and want to kill all of us. The Nazis and Europeans never differentiated 60 years ago and anti Semites and the Arabs and Iran do not differentiate today. We must divorce our religious differences from our common destiny. Either we will unite or we all will hang separately. We can not fight a civil religious war and survive at the same time from a world of enemies that want our demise and destruction.

When an Orthodox rabbi converts the non Jew is instructed that he or she must observe 100% of all the Torah. THEY ARE GIVEN CLASSES AND BOOKS THAT EXPLAIN THAT IT IS MANDATORY TO ACCEPT ALL THE 13 BASIC PRINCIPLES OF FAITH AND OBSERVE 100% OF Torah. The non Jew promises to observe 100% of Torah.

IF AFTER THE CONVERSION THEY RENEGE ON THEIR PROMISE THAT DOES NOT EFFECT HIS or HER SINCERE ACCEPTANCE AT THE INSTANT OF CONVERSION

. See Magid Mishne on Rambam Issuri Biah 13:17 The same thing occurred with the converted wives of King Solomon and Samson in the Bible. These women even though they reneged their Judaism after they converted and married , nevertheless their original conversions were valid. Ibid Rambam Isurei Biah 13:17 end

However in the case of the non Orthodox conversions there does not exist even one instant that the prospective convert accepts 100% of the Torah and its theological doctrines. Therefore there exists even post facto no halachic conversions. Unless we have evidence that the particular convert did ab initio accept 100% of all the Torah there is by default no conversion. If the convert takes exception to even one law that they are not willing to accept there exists no conversion. The non Orthodox teach their members that it is not obligatory to observe 100% of the ritual laws. They deny that the Oral Torah and even the Written Torah is Divinely given. Thus they take exception to at least one law and therefore ipso facto there conversions are null and void. Would their converts nevr have been exposed to their heresy and have had a circumcision and dipped in the Mikvah then their conversions would have passed muster. Once they attend their classes and belong to their temples and listen to the heresy preached by their clergymen then their conversions are null and void. See Rambam Isurei Biah 14:8. See Magid Mishne citing Talmud Ehrechin 29a and Bechorot 30b see Yoreh Dayoh 268:12 Taz ibd 268:16

However rather than trying to fit squares into circles why not accept the reality that non Orthodox conversions are precisely what they hold themselves out to be non Orthodox conversions. They will not be recognized by Orthodox Rabbis. One who wants to be recognized must undergo an other conversion under the auspices of an Orthodox Rabbi.

As far as the State of Israel is concerned. They must take a neutral position. The State of Israel is in mortal danger and was in mortal danger for the past 60 years. The State must have all the friends and allies in order to survive. They must divorce themselves from any entanglements in religious matters. If secular or non Orthodox Jews or converts from the non Orthodox or Christians want to help Israel, Israel must accept all help from any source . They can not be embroiled in sectarian politics or theological disputes.

All Jews regardless of their beliefs and observance must unite for the survival of Israel and world Jewry We are threatened from the anti Semites in the United Nations and in Europe and in the Middle East who call for the destruction of Israel and Jews. THE WORLD WOULD NOT BLINK IF AN OTHER HOLOCAUST WOULD OCCUR. THUS WE MUST RELY ON OURSELVES. Then G-d will help us .G-d helps those who help themselves. WE MUST STOP ALL THE STUPIDITY OF IN FIGHTING AND STOP THE WORK OF TRAITORS LIKE PEACE NOW WHO PUBLICIZE THAT THE LANDS OF YEHUDAH AND SHOMRON THAT JEWISH SETTLEMENTS EXIST BELONG TO ARABS. THIS IS A BIG LIE. ALL THE LAND WAS EITHER CONQUERED FROM JORDAN OR WHEN ARAB OWNERS EXISTED WAS PURCHASED from them . Israel as sovereign country can exercise the right of annexing any lands it conquered in a war that was imposed by the Arabs who wanted to destroy Israel in 1967. ALL LANDS THAT IT CONQUERED BELONG TO Israel . Even if the Arabs

owned the land they lose title once the land is conquered. However Israel went beyond the law and compensated the Arab owners. For Peace Now to publicize its slander when Hamas and Iran call for the destruction of all of Israel is beyond treachery. They are traitors and should be convicted in rendering aid to the enemy at the time of war.

Consequently any convert of non Orthodox Rabbis is for all intents and purposes is a non Jew even if no one knows that he was not Jewish. Only when such a convert claims that he converted and omits that he was converted by non Orthodox Rabbis will we state that the mouth that informed us that he is non Jewish now informs us that he is Jewish-.hapeh sheosor hu hapeh shehiter- When the convert tells us that he was converted by non Orthodox Rabbis he is informing us that he is still non Jewish. We can use loopholes and not inform the non Jew of all the requirements and laws of Orthodox Judaism and the conversion is valid. However if the non Jew accepts Judaism and takes exception to even one law then the conversion is invalid. See Rambam Issurei Biah 14:8; Erchin 29a ; Bechorot 30b . Non Orthodox conversions by definition of being non Orthodox take exception to many laws. See Rambam Isuri Biof 13:17 and comments of Magid Misnah. See Yoreh dayoh 268:12 end. Thus the conversions of the non Orthodox are invalid, even if we did not know that the man or woman were non Jewish before being informed by the convert.

With the high rate of divorce over 50% and intermarriage over 50% most of the non Orthodox do not bother to receive a Get -Jewish divorce it is much better that one of the spouses is not Jewish . Thus the marriage never took effect anyway . If the Jewish born spouse remarries with out a Get the child from marriage #2 is not a mamzer -illegitimate. See Responsa Shalet Yaavetz Rav Yaakov Emden who claims that one can marry a Kariates a hisorical reform movement who did not observe the laws of Gitten -Jewish divorces and children from man #2 would have been mamzarim -illegitimate . However since many of these Karriates intermarried Rav Yakov Emden did not recognize their conversions as being authentic therefore the non Jewish spouse never was Jewish. Since they were never Jewish their marriage never was legally binding. When the Jewish spouse remarried she was never a married woman. Therefore the children from man #2 are not mamzarim . Rav Yaakov Emden also incorporated the reasoning of Responsa Radvaz that there really did not exist kosher witnesses in the first marriage. Therefore the woman was not married according to hallacha. If she did marry according to hallacha -there were kosher witnesses- who says that she divorced. If she did divorce who says that she remarried. If she did remarry who says that she had children. If she did have children who says that the kariate man or woman who presently seeks to marry the Jewsh spouse is in fact a descendant of this family who divorced and had originally a hallachic marriage. There exists so many doubts that once the Kariate partner agrees to undergo a hallachic conversion it is permitted to marry them . See Aruch Hashulchon Even Hohezer 6:38 end that in such a situation even if the Jewish spouse came into the Kariate community and there met her or his future spouse the prohibition is no more than a chumra a restriction to play safe.

This is the ruling of Rav Moshe Feinstein regarding marrying a woman whose husband refuses to give her a Get who was married in a non Orthodox marriage. The same would apply marrying the children from man #2 of such a woman . Rav Feinstein does not require that they undergo a conversion since he is not dealing with a known case of a convert or the children of a convert who were converted under non Orthodox auspices.

Since the converts to non Orthodox conversions probably do not observe Jewish Law since that is what they are taught they do not violate Jewish Law and are not liable to be punished in the next world since they are not Jewish. If they observe the seven Nohadite principles of humanity -they are moral and ethical -and they are not homosexuals they will merit Olem Habo-Salvation. Most of the people who convert already have these moral principles so their conversion to non Orthodoxy is really a waste of time.

The non Orthodox do not pretend that their converts are Orthodox Jews. We likewise should not confer such status on them . When these converts elect to become observant Jews they can then undergo an other conversion. It is easy and costs very little. There exists no earth shaking emergency that requires us to search for loopholes to count them as Jews. The converts may call themselves Jews but they are not part of historical Judaism if their conversion took place under the umbrella of non Orthodox clergy.

What I write that we will accept the word of the convert that he converted according to hallacha -if no one knows that he was not Jewish- is only if there was no non Orthodox conversion.

However all this is unnecessary if the non Orthodox Rabbis observe 100% Halacha in their personal life and accept both the Oral and Written Torah as Divine then they are treated as Orthodox Rabbis even though they graduated from non Orthodox Seminars and belong to non Orthodox organizations because of their congregations. Igros Moshe Even Hoezer book 1 # 135.

There exist many winkles and exceptions to this summary that are explained in great detail in the chapter dedicated for this topic.

WHAT EVER I WRITE ON THIS MATTER IN CHAPTER 15 AT LENGTH MUST BE READ SUBJECT TO THIS AMENDED POSITION REGARDING NON ORTHODOX CONVERSIONS ELABORATED ABOVE. THAT I DECLARE AS AT DECEMBER 1 2006 AS MY POSITION .

SIGNED RAV MOSHE MORGENSTERN

Chapter 16-

The War Against Jewish Women-Mind Control

**HALACHIC JUDAISM IS DIVINE;
RABBIS IN THEIR INTERPRETATION OF HALACHA- LIKE ALL MORTALS**

ARE NOT INFALLIBLE. See Yerushalmi Sanhedrin 4:2 Rambam Mamrim 1:3; Chavas Yoar chapter 192 ;Kisvei Shredie Esh- Horav Weinberg by Melech Shapiro.Chapter 3 pp 6-7

IT IS G-D'S WILL THAT THERE EXIST VARIOUS INTERPRETATIONS FOR EACH DIVINE LAW. THE VERY FACT THAT DISPUTES EXIST IS EVIDENCE BY ITSELF THAT NO ONE INTERPRETATION CAN CLAIM EXCLUSIVITY IN THE INTERPRETATION OF DIVINE LAW. FOR THOSE LAWS THAT ARE Exclusively DIVINE WITHOUT Any QUALIFICATIONS-NO DISPUTES EXIST. PERIOD . THE LAWS GOVERNING ANNULMENTS are packed with disputes.

It is the purpose of our writings to vindicate Halachic Judaism and restore the confidence of the Jewish people in Halacha , the Word of G-D.

G-D is TRUTH. Halacha is truth.

Would our critics have not been so well organized and terrorized their opposition, their ignorance-regarding annulments of Agunot would have been discarded in the trash pile, long ago. They present numbers of Rabbis who agree with them- to keep the Agunah suffering- all in the name of G-d. If a thousand Rabbis for the past 4000 years would say that people should jump off the roof or remain celibate for life, or not to eat, or not to sleep, no sane person would listen to them.

I can assure you one million percent that there never existed - even one RABBINICAL AUTHORITY that stated this disgusting insanity.

Maybe our critics are not insane; but anyone following their advise is.

Their position is not based on Halacha. No such Halacha ever existed for the past 4000 years. I elaborate at great length in this book and in the numerous writings and tapings I have made.

Chapter 17

Israel's war for Survival - Israel today is in a life and death struggle . We must let the Israeli Jews decide how to handle this matter. We can not second guess them . Just like we depend upon a physician to make medical decisions, we must let Israel's generals and leaders to determine what to do to assure Jewish survival in Israel Let us all support Israel in this hour of emergency. Let all of us do honestly what we know best for the betterment of Jews and humanity. The Torah perspective is that G-d helps those who help themselves. Israel, world Jewry and Jewish survival are discussed.

Chapter 18-

Responsa- Removing the stigma of Mamzarut-illegitimacy where the DNA of the child did not match that of the husband.

Chapter 19-

Mous Olai - My husband disgusts me
Mekach Tout- my marriage is a mistake

Marriage is annulled then husband agrees to give a Get

Husband is awarded custody of children and is awarded damages for slander and libel and alienation of affections. This award is recommended to the civil court by the Bet Din- Rabbinical Court.

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Who is a Gerusha a divorcee ? Who is a Kohen-a descendent from Aaron ?

Chapter 21

Moranos status as Jews. Do they need conversion?

Chapter 22

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Chapter 23

Agunot resulting from Sep 11,01 terrorist attack. Can a statement typed by the husband in English -that he is hereby divorcing his wife -on a computer and sent by e-mail to the wife be considered a Get or at least as an adjunct to annul the marriage? What are the criteria necessary to free these wives? Can such a statement if typed by someone else , but signed by the husband be considered as an adjunct to annul the marriage ?Ab initio -G-d forbid - no modern technology should be employed in the writing of a Get, signing the Get and delivering the Get to the woman. It is forbidden to depart one hair from any law and custom practiced by Jews . G-d forbid of using modern technology to depart one hair in the entire procedure of the writing of a Sefer Torah, Mezzuza, Tefillin ,baking Matzohs and the performance of all the Mitzvohs.

However post facto if the woman would remain an Agunah to eternity unless one employs modern technology, what is the halacha? Would post facto a Get written by printing press, computer, or on e-mail ;if one sends a Get by fax, e-mail, directly by federal express or regular mail, would such a Get be kosher? Even if not, can such a procedure be used as an adjunct to annul the marriage? Otherwise the woman would remain an Agunah for ever as in the case of husbands stuck in the twin towers following the terrorist attack who would have sent by e-mail a statement to the wife -I hereby divorce

you-on September 11,2001. Would such a statement written by the husband post facto free his wife?

Why printing sefer torah , tefillin or mezuzah is not kosher. Can they be written on a computer -one page at a time? Then the computer would print again one page at a time

Using microphone , radio and television to read the Megila on Purim. Having a Rabbinical Court interview litigants and witnesses by telephone,closed circuit radio and television . Having the members of the Rabbinical Court meet as a court employing telephone , closed circuit radio and television ?

Chapter 24

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Chapter 25

Husband missing for 40 years. Wife remarries. Can she remain with husband?

Chapter 26

Husband missing for 40 years as a prisoner in the concentration camps during the holocaust. The wife remarried and has a new family with husband #2 . A man representing himself as the missing husband resurfaces 40 years later. What are the Halachic consequences?

Chapter 27

Husband is missing 10 years. Wife remarries and is pregnant . Can the wife remain with husband #2 and is the child legitimate?

Chapter 28

Wife remarries after husband #1 refuses to give her a Get and has new family with husband# 2. Several generations pass and in each generation the decedents carry the stigma of illegitimacy. Is there a solution how to eradicate this stigma?

Chapter 29

Is a binding agreement used by the civil authorities-to use a particular Rabbinical Court considered binding on the litigants by Halacha ?