

Chapter 12 papers 165-183

Responsa -

# The Other Side of the Coin

Why annulments  
are not in  
accordance with  
Halacha.

This area is packed

with disputed ~~the~~  
See ~~we~~ ~~chapter 16~~ ~~is in my table of contents -~~  
~~we~~ ~~have~~ ~~written~~ ~~previously~~  
~~in~~ ~~chapter 16~~

why annulments  
are in accordance  
with Halacha. We  
will now explore the  
other side of the coin -  
165

The bottom line is that  
 no annulments must  
 be given before  
 exhausting every  
 possibility for the  
 husband to  
 voluntarily give a  
 Get. There must  
 be a Rabbinical  
 trial with husband  
 and wife. The  
 needs of the husband  
 must be addressed.  
 If the civil court  
 judgement cripple the  
 husband financially  
 and he can't be  
 remarry this  
 must be addressed  
 by the Rabbinical  
 Court.

Annulments are to  
 be used rarely ~~and~~  
 and only as a last  
 resort, when no hope

3

exists for the  
husband to give  
a bet. In that way  
the equity of  
both wife and  
husband will  
be addressed.

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740 5700000000  
 I wish to acknowledge  
 raised by  
 Benjamin (Bleich) (A)  
 regarding commitments  
 I wish to clarify that  
 I agree with ~~practically~~  
 many of the issues he raises.  
 In a separate response  
 I take issue with  
 Halachic accuracy  
 those feminists  
 who wish to question  
 the efficacy of all  
 marriages  
 down sides  
 unless there is a  
 matter of  
 that commitments  
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 following Bullis as approved  
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 and  
 Waldenberg & Rav  
 168 Shlomo Surback  
 Rav Yitzchok Elchonon (B)  
 5 Rektor.

13  
 2130  
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(10) all commitments are only Publically  
 Rabbinically the original  
 Roshba, Kamba, 3  
 See Tzitz Elzer (Kawaldenberg) 1998  
 Roshba 1162 Tzitz's commitments  
 See Tzitz Elzer (Kawaldenberg) 1998  
 Roshba 1 Chof 26:2, 3, 4  
 Munchas Shloma Rav Auerbach  
 Brok 1 #76  
 Rav Yitzchok Elchonen  
 Ayin Yitzchak Brok 2  
 Peppoma 42:3  
 Rav Avraham  
 Rav Hirsch 59:3

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2100

I wish to acknowledge  
 the issues raised by  
 Rev Benjamin Block &  
 regarding commitments.  
 I wish to clarify that  
 I agree with ~~practically~~  
~~all the points~~ ~~the issues~~ ~~made~~.

In a separate response  
 I take issue with  
 Halachic accuracy of  
 those feminists  
 who wish to question  
 the efficacy of all  
 Halachic down sides  
 were the not disallowed  
 with a matter of  
 policy I agree as  
 I should that commitment  
 unless there is a  
 no alternative.

Following Bullis as a first  
 12 commitments Tzitz Elzer  
 169 Elzer, Waldenberg, and  
 Rav Yitzchok Elchonen  
 5 Rekor.



19 21 19 d

of public policy commitments are prohibited. Only in exceptional circumstances when all means

have failed and the Argonath compromise for court gains to enable the husband to marry well. we must get it

~~and ~~we will~~ ~~commit a commitment.~~~~  
I will use all the 20-30 methods outlined in my Responia on the Four Parts of the Shulehan Finch.

However under equity exists for the husband as well. We will rule that arrangements are for children.

I mentioned this fact in my chapter 16 of Responia on Four Parts of the Shulehan Finch.

This book is written from the standpoint of those who permit (1) the husband. However the other position is equally solid and as a matter  
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and ... married ...

19 21 19 d

of your own property arrangements - a prohibited. Only in exceptional circumstances when all means

have failed and the original compromise for court gains to enable the husband to marry will we have to get them

~~wife we will~~  
~~and permit arrangements.~~  
I will use all the 20-30 methods outlined in my response on the Four Parts of the Shulehan Arrack.

However under equity & trusts for the husband as well, you will rule that a marriage is a forbidden.

I mentioned this fact in my chapter 16 of response on Four Parts of the Shulehan Arrack.

This book is written from the standpoint of those who permit (1) the marriage. However, the other position is equally solid and as a matter  
192

and annual cler marriage marriage





22

27E

Rabbinically she still  
remains married and  
any children from man  
#2 are Margarin  
Rabbinically.

However as I  
point out in great  
detail in my book  
Response on Four Parts  
of the Sheleha Anech  
that if one increases  
the grounds for the  
annulment the  
Rabbinical ~~has~~ violates  
it appears. See  
Arukh Hashulchan  
Yoreh Dayon 110:110.  
See Igros Moshe and  
Rav Yudelovitz.  
See also Eiver Yitzchok  
Rav Yitzchok Eilore  
in Vol ~~24:45~~  
Vol 1 # ~~24:45~~ middle.

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Rev Yitzchok Elchonon  
~~permits~~ ~~wo~~  
Creates the dispensation  
That ~~the~~ Agunah can  
re-marry when their  
husbands are lost in a  
ship wreck. He introduces  
other doubts that if  
the husband did not  
drown, he would have  
been eaten by the  
sharks. If he ~~is~~  
would have been saved  
he would have  
informed his wife  
and family by phone  
telegraph or mail.  
Failing all that  
circumstantial evidence  
exists that he is dead  
The Agunah is free to  
re-marry. Thus by  
introducing other  
variables the Rabbinical  
prohibition of a married  
woman not re-marrying

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on the almost certain possibility that  
The husbands lost at  
sea is dead 15

overcome. We  
Rov Yitzchak Elbogen created  
a number of <sup>additional</sup> doubts  
that suffice to  
overcome any  
doubts expressed by  
The Rabbinical Violators.  
According to EIN  
Yitzchak Vol 1 #  
24:45 even one  
additional doubt  
suffices.

Rav Moshe Feinstein  
told me orally the  
same regarding the  
EIN Yitzchak Vol 2 #42:  
where he cites Shuta  
Metubtzos Kesubos 3A  
that Rashi holds that  
176

24

29#

That an annulment  
only frees the woman  
Biblically. However  
Rabbinically she still  
remains married  
to this Rav Moshe  
Feinstein told me  
that once one increases  
the grounds for an  
annulment the  
Rabbinical violation  
disappears.

Rav Feinstein post-facto  
agreed to the  
dispensation of  
Meharcham Vol 1 #9  
That if the husband  
gives a Get and  
then will ~~cancel~~ <sup>cancel</sup>  
cancel the agency  
not in front of  
two witnesses only  
in front of one  
witness that ~~the~~  
will ~~cancel~~ thus trigger a.  
179

25

39 I

annulment. <sup>great detail</sup>  
 Explain in ~~my~~  
 in my book Responsa on the  
 Four parts of the  
 Shulchan Aruch the  
 Halachic basis. See  
 Chapter 1 and 13.  
 This Book the  
 Ezer Yitzchok #42  
 in Vol 2:  
 Anaq 3: 15, 16, 17, 18

In our annulment  
 we ~~give~~ <sup>give</sup> 20-30  
 grounds for the annulment  
 Furthermore since  
 in Western societies  
 coercing physically the  
 husband is impossible  
 the only way to free the  
 Agunah is by annulling  
 the marriage. See <sup>1973</sup>  
 Moshe Greenberger Vol 1 #79

(A See Chetkos your  
Vol 1 chapter 24.

26- 29 J  
Vol 2 # 123  
See Ohel Moshe - Rev  
Moshé Tzvi and  
Rev Elyahu Klotz in  
Ivar Elyshy # 45. (1)  
See Ein Yitzchok  
Vol 1 # 24 where he  
reaches the same conclusion  
who in case it is  
physically impossible  
to coerce the yavam -  
because of his yivum -  
chalitza because he  
was imprisoned in  
Saberia. Rev Yitzchok  
Elchonen agreed to  
annul the marriage  
to the declared husband  
In that case no  
conditional marriage  
existed nevertheless  
Rev Yitzchok Elchonen  
agreed to annul the  
marriage.

as well as Rev Kuchman and Rev  
expand this dispensation.  
we annul the mesuba  
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Antabman

23  
marriage

29K

he does  
not believe as a  
Jewish husband should  
would we have the  
power to coerce a  
divorce we would.  
Since we do not  
possess this power  
- we are forbiddenly  
COW (Law - we  
will annul the  
marriage.

would the couple  
have had a  
conditional marriage  
and have stipulated  
all these grounds  
for annulment it  
certainly would  
have been  
one million percent  
valid.

Failing to have  
a conditional marriage  
we constructively  
state as the members  
Demerbyh Records  
that an implied contract



Both Rav Yitzchok Elchegron in  
# 79-101-24 was  
Ein Yitzchok  
Rav Elchegron as well as  
Rav Elchegron # 79-101-24

~~Contract~~ 79C

That no woman  
and certainly the  
overwhelming  
majority would  
not agree to  
get married otherwise  
therefore once the  
husband exhibits  
behavior unfitting  
a Jewish husband  
the marriage is  
annulled <sup>if he refuses to act.</sup> Also  
since Bat Din  
is unable to  
fulfill its side of  
the bargain to  
physically coerce the  
husband that itself  
triggers the  
annulment. The  
Non disclosure to  
the woman before she  
got married of the

(A) I do not accept non disclosure  
standards as the only grounds to annul  
Marriages. If a non disclosure

of multiple adjuncts is legitimate  
can be used. I am trying to prove that

annulment marriages is the task of a Rabbi who  
Mastered and observed the four parts  
Shulchan Aruch.

First like legal  
work ~~can~~ be done  
only by an  
Orthodox and  
urgently only  
by a surgeon  
not by lay  
people who read  
secular  
sources. This is  
not just aid  
that one can  
apply a  
bandage.

facts that get Din  
her not separate  
marriage if it  
dies and the  
husband refuses a  
get will also  
be an additional  
adjunct to trigger  
annulment. ~~A~~  
describe all  
this in my  
book Responsa  
on Four parts of  
the Shulchan Aruch  
Chapter 1 & 13.

# Chapter 12

~~no~~  
our Bet Din <sup>29W</sup> Bitvintzeder Labay at  
Agmud ~~of~~ <sup>gives</sup> a Get ZIKU  
our Bet Din substitutes  
for the husband and  
administers a Get. Thus  
we comply with the  
government with the  
See <sup>Rushlakot</sup> ~~Naseros~~ <sup>Admishot</sup> ~~Admishot~~ <sup>Shoshen</sup> ~~Shoshen~~ <sup>Meitfut</sup>  
Kav Yitcho K <sup>Elchoren</sup>  
Speker in EIN YITZCHUK  
Vol 1 # 24:41  
and Tzitz Elger  
Vol # 26.  
Even though of the Get  
ZIKU is not the same  
as a Get, it nevertheless  
has the semblance of a Get  
I have elaborated in  
my book Responsa on  
Four Parts of the Shulchan  
Aruch Chapt 1 and 13.