

Fascinating INSIGHTS

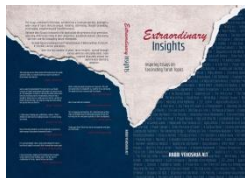
י' טבת תשפ"ב

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פרשת ויגש

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[Wireless War Women](#)

One who frees an *aguna*¹ to remarry it is as though he has rebuilt one of Yerushalayim's ruins. This is

what the Shu"t Bach Hachadashos² writes regarding a case of freeing an *aguna*.

The Shu"t Shevus Yaakov³ (1670-1733) permits receiving testimony on Shabbos through a Beis Din from an איש מסוכן ("dangerous person") in order to free an *aguna*, and not wait until Motzai Shabbos. This is because there is no greater שעת הדחק ("extenuating circumstances") than dealing with *aguna* cases. "Don't be lazy with this just like you cannot be lazy with *pikuach nefesh*." Similarly, the Beis Yosef⁴ equates the law of freeing an *aguna* to *dinei nefashos*.

Every year the family of R' Ovadia Yosef gathered for a memorial ceremony on the anniversary of their mother's passing. One year, he didn't come, unbeknown to anyone. R' Ovadia's brother, R' Naim, searched for him the following morning. When he found him, he asked why he missed the event that was in honor of their mother. He replied that he was asked to find a way to release an *aguna*, to allow her to remarry. He stayed up all night trying to find a way to free her.⁵ Finally at four in the morning, he figured out a way! "Surely this helped elevate the soul of our mother more than any memorial ceremony!"

After World War One,⁶ R' Shlomo Dovid Kahana⁷ (1869-1953) established a special department in Warsaw

² 64.

³ 1:14. R' Yaakov Ibn Chaviv (1460-1516), author of the Ein Yaakov, solicited the opinion of R' Avraham Teves (1479-1552) on a difficult halachic issue in regard to an *aguna*. On the 25th of Nisan in 1505, while en route to deliver his affirmative reply he fell into a swiftly running river and was dragged by the current downstream. Two non-Jews pulled him from the water and after vomiting up lots of water and bile he recovered. He attributed his rescue in the merit of the *heter aguna* which he was about to deliver and commemorated the day with a fast for the rest of his life (Preface to Birkas Avraham).

⁴ Shu"t Beis Yosef on Even Ha'ezer, Dinei Goy Mei'siach L'fi Tumo, 10. Also see R' Yosef Engil in Otzros Yosef, Kuntres Iguna, p. 3b.

⁵ In 2004, R' Yonah Reiss of the Beis Din of America was struggling to discover a halachic basis in which to rule that a certain individual wasn't a mamzer. After exhaustive research, R' Reiss was about to give up. That night he had a recurring dream in which the words "R' Ovadia Yosef" were repeated. He resolved to submit the mamzerus question to R' Ovadia. He submitted it and within a few weeks he received a lengthy reply in which R' Ovadia articulated a creative argument concluding that the individual isn't a mamzer.

⁶ There were gedolim who became so fluent in Aramaic through a lifelong dedication to the language of gemara that they could speak Aramaic fluently. In the early 1900s, the Ostrovtzer Rebbe would converse with the local Armenian bishop in fluent colloquial Aramaic. During a dangerous period for the Jews, while World War One was still raging, the bishop protected "his Jews" in honor of his friend and fellow speaker of Aramaic. Tangentially, there is a significant diaspora of Assyrians in Chicago where they converse in their native Aramaic. R' Prero, a native Jew of Chicago has forged close friendships with members of the local Assyrian community, since they speak Aramaic, a language that he is familiar with from his study of gemara. When they greet each other in the evening, they say *ramsha brichta* (רמשא בריכתא), which is Aramaic for "Good Evening."

⁷ He studied at the yeshiva of Volozhin and the kolel of Kovno, and was ordained by R' Yitzchak Elchonon Spector. He was later the rav of Warsaw. After the Nazi invasion of Poland in September 1939, he managed to escape to Eretz Yisrael, where he was appointed rabbi of the Old City of Yerushalayim.

¹ An *aguna* is a woman whose husband disappeared without clear proof of death (or in other instances refuses to divorce her according to halacha) and she therefore cannot remarry.

to deal with problems of war *agunos*, forming a network of information bureaus in the larger cities of Europe for this purpose. The information gathered about missing husbands made possible the remarriage of thousands of *agunos*.

In 2019, a ledger documenting the actions of a Beis Din in Bergen-Belsen following its liberation was discovered. The ledger, which contained over 100 pages of cramped handwriting, was the first documentation of the testimony of Holocaust survivors on their spouses who were murdered by the Nazis, for the purpose of being released from being *agunos*.⁸ The ledger, entitled: “Beis Din Protocol of Bergen-Belsen” was written on a booklet that originally belonged to the Nazis. The rabbanim documented the names of survivors and the testimonies regarding the murder of their spouses in the course of the Holocaust. The name of each Holocaust survivor was written on its own page of the ledger, followed by the testimony regarding the death of his or her spouse, signed by the witness(es). Underneath the testimony, the rabbanim wrote the *heter* for marriage based on that testimony, adding their signatures. According to the ledger, the Beis Din provided 85 *heterim* for men and women to remarry. The rabbanim of the Beis Din were R' Yoel Halperin, R' Yisrael Aryeh Zalmanovitz, R' Yissachar Berish Rubin and R' Yitzchak Glickman, all of whom were Holocaust survivors. The rabbanim worked together with R' Shlomo Dovid Kahana, who was extremely active in releasing *agunos*. He formulated a basic “*heter agunos*” which could be used in most cases and collected testimonies to release *agunos* after the Holocaust. He later said that he provided *heterim* for around 3,000 *agunos* after the Holocaust and he never once was proved wrong by the appearance of a husband that was considered deceased.⁹

In 1973, there was the famous Yom Kippur war. Due to the horrific conditions of the Yom Kippur war, there were more than 960 bodies unidentifiable, missing or not immediately retrievable behind enemy lines.¹⁰ Consequently, their widows were *agunos* and couldn't remarry as long as their husbands' bodies were unidentified. Chief rabbi of the IDF R' Mordechai Piron and his assistant R' Gad Navon asked R' Ovadia Yosef¹¹ a year into his position as chief rabbi to head a Beis Din to decide on the *aguna* cases as a result of the Yom Kippur war, to freeing the young women so they can start new

⁸ Here is an excerpt from the ledger (p. 85): “In 1944, in the month of Iyar, they brought me and my wife Gittel bas Avraham Halevi and all our children to Auschwitz. There they separated me and my two older sons for labor, and my wife and small children were sent to the gas chambers. Since then, there has been no sign of them – his sons testified to this as well.”

⁹ During World War Two, President Jimmy Carter's uncle, Tom Gordy, was declared dead by U.S. officials after being taken as a prisoner of war by the Japanese, and his wife remarried during the war. But when the war ended, Gordy returned home as a liberated POW to discover, tragically, that his wife was married to another man.

¹⁰ Halacha insists upon being able to identify the body within three days of death in order to recognize his face, and many of these bodies were found or returned only later.

¹¹ In 1945, at age 25, R' Ovadia Yosef was appointed a dayan by the sefardi chief rabbi R' Benzion Uziel. Of the 9,000 *agunos* that R' Ovadia ruled are free to remarry, not one of their husbands ever reappeared.

lives by proving that each husband died.¹² He took time off¹³ from all other learning schedules for this.¹⁴ This specialized Beis Din met throughout 1974, sifting through all the files. Some cases were clear-cut, and some involved traveling the country and interviewing soldiers; in many cases he shed tears over the files.¹⁵ Despite serious halachic challenges, two years later R' Ovadia's Beis Din had released all the *agunos* of the war.¹⁶

Answered from Above

A person once came to the Kotzker Rebbe and told him about his many problems. The Rebbe asked him why he doesn't daven for Hashem to help him. The man replied he doesn't have the peace of mind to daven as he couldn't think properly due to all of his troubles. The Rebbe responded, “Being unable to daven is your greatest problem! You should have told me this problem first.”¹⁷

Recently, someone from Haifa borrowed 200 shekel. The day the debt was due he met the lender in the Beis Midrash. Although he was able to withdraw money from the ATM machine, he didn't want to go in order to avoid the שמירת עינים tests. So, he asked Hashem to give him the 200 shekel some other way. He then went into a side room to rest for a few minutes, after placing his hat on the table. When he woke up, there was a 200 shekel bill in the ribbon of his hat! He then immediately paid back the debt. However, being that he still wanted to know who placed the money there, he asked the Gabbai to show him the footage as the Shul was under surveillance. He watched as he saw one who he had never seen before enter the Beis Midrash and place the 200 shekel bill in his hat, apparently with a desire to give מתן בסתר, anonymous charity. He saw how Hashem listens to his Tefilos!

Listen to the short Fascinating Insights podcast at <https://jewishpodcasts.fm/fascinating-insights>, where it can also be downloaded! Rabbi Alt merited to learn under the tutelage of R' Mordechai Friedlander ztz"l for close to five years. He received semicha from R' Zalman Nechemia Goldberg ztz"l. Rabbi Alt has written on numerous topics for various websites and publications and is the author of three books including the recently released Extraordinary Insights, in addition to being the host of The Fascinating Insights Podcast. His writings, some of which have been translated into Hebrew, German and French, inspire people across the spectrum of Jewish observance to live with the vibrancy and beauty of Torah. He lives with his wife and family in Kiryat Yearim (where the Aron was for 20 years [Shmuel 1, 7:1,2]) where he studies, writes and teaches. The author is passionate about teaching Jews of all levels of observance.

¹² Yabia Omer, volume 6, Even Ha'ezer 3.

¹³ Yabia Omer 8, Choshen Mishpat 7 is a halachic response from this time period (dated the second of Shevat 5734, 1974) to a question from the sefardic committee. R' Ovadia wrote that he was too busy with the *agunos* of the Yom Kippur war to answer other questions but as they asked him many times and to have peace between the different camps of the Jewish People, he was taking the time to reply.

¹⁴ In Yabia Omer 6, Yoreh Deah 1, written in 1974, R' Ovadia wrote to a head rabbi of shechita that the extreme difficulties of the war prevented him from completing the response in a timely fashion.

¹⁵ His responsa in Yabia Omer volume 6, Even Ha'ezer 3 written in January 1974 is devoted to explaining the halachic principles by which R' Ovadia freed almost 1,000 married women, based on various amounts of evidence that their husbands were dead. The treatise discusses the halachic components of the cases in which soldiers' bodies were identified on the basis of identity tags, personal documents, personal items and photographs of the body or fingerprints.

¹⁶ There is a written endorsement from R' Ovadia Yosef giving permission to an *aguna* from the terrorist attacks on the Twin Towers in 2001 to remarry (Yabia Omer, volume 10, Even Ha'ezer 18).

¹⁷ There is a saying “If Hashem is all you have, you have all you need.”