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THE LITTLE THINGS

by *Rabbi Ari Zahts*

The Gemara (Menachot 29a) states, "Tana DeVei Rabbi Yishma'el: Sheloshah Devarim Hayu Kashin Lo LeMoshe Ad SheHer'ah Lo HaKadosh Baruch Hu Be'Eitzba'ot, Ve'Eilu Hein: Menorah Ve'Rosh Chodesh U'Sheratzim", "It was taught in the Beit Midrash of Rabbi Yishma'el: Three things were difficult for Moshe [to understand] until Hashem showed him with His finger, and they are: the Menorah, Rosh Chodesh and Sheratzim." Firstly, Hashem instructed Moshe to create a seven-branched solid gold Menorah, but Moshe didn't fully comprehend how it should look without the assistance of a visual aid, requiring Hashem to show him how it should be constructed. Additionally, the complexity of the Molad, the point at which the moon is considered new for Rosh Chodesh, necessitated additional guidance from Hashem. Finally, the intricacies of the list of Sheratzim, the Tamei "creepy crawlies," so Hashem showed them to Moshe. In all of these instances, Moshe experienced difficulty understanding something, and therefore Hashem needed to show him the solution.

In Parashat Shekalim, Rashi (Shemot 30:13 s.v. Zeh Yitnu) comments that Moshe Rabbeinu had trouble understanding a Machatzit HaShekel, and therefore Hashem procured a fiery coin that weighed a half a Shekel from underneath the Kisei HaKavod and showed it to him. But was Moshe Rabbeinu really unable to understand a Machatzit HaShekel? Furthermore, if this seemingly simple Machatzit HaShekel was truly a complex idea, why didn't the Gemara Menachot include it as the fourth item in the list of intricate things that Hashem showed Moshe?

Tosafot (Menachot 29a) suggest that the Machatzit HaShekel was not included, because with Hashem's assistance it wasn't difficult for him to understand. But if Hashem had not shown Moshe the fiery rendition of the coin, Moshe would not have had the slightest inkling as to what the coin should be used for. But he fully understood it with Hashem's help and therefore the term for difficulty, Nitkashev, is not appropriate in regards to the Machatzit HaShekel.

Tosafot, however, seems problematic; why is the term for difficulty inappropriate when the Machatzit HaShekel seems like a

very challenging topic? The Shitah Mekubetzet explains the Tosafot based on a Midrash; it explains that the issue of Machatzit HaShekel was, in fact, fundamentally different. Even though Moshe certainly could have figured out what Machatzit HaShekel meant, unlike the other three cases in Menachot, he still would not have understood the nature of the commandment. How could giving the ostensibly insignificant Machatzit HaShekel achieve Kapara (atonement) for the egregious Cheit Ha'Eigel? Every sinner should have given the value of his own life to atone for their sin! Why does one measly coin accomplish so much?

Perhaps the true reason why Hashem showed Moshe a fiery Machatzit HaShekel was not as a diagram of the physical coin, but rather to show him that half a Shekel, despite its small size, can accomplish tremendous feats, including atonement for terrible sins.

I believe that Hashem's lesson to Moshe Rabbeinu is to never overlook the little things in life -- particularly the good deeds that people do for others. The Machatzit HaShekel is both little and incomplete, yet when you join your small donation with another's, you complete the Shekel, atonement can be achieved, and great things can happen.

We can use this principle to understand a very peculiar Gemara in Masechet Megillah 13b. "Amar Reish Lakish: Galui VeYadua Lifnei Mi SheAmar VeHayah HaOlam SheAtid Haman Lishkol Shekalim Al Yisrael, Lefikach Hikdim Shekalei'hen LeShaklav, VeHaynu DiT'nan: BeEchad BeAdar Mashmi'in Al HaShekalim", "Reish Lakish said: it is revealed and known to the One Who spoke and the world came to be that in the future, Haman would weigh Shekalim against the Jews, therefore He put their [Jews'] Shekalim before his [Haman's] Shekalim, as it was written in a Mishna: On the first day of Adar, a public announcement was made to collect the Machatzit HaShekel [for the Beit HaMikdash]" (13b). Hashem knew that Haman would eventually use Shekalim against Bnei Yisrael, therefore He preempted Haman's Shekalim with our Mitzvah of Machatzit HaShekel.

However, one may ask what is the connection between the two different Shekalim? The answer, I believe, is that Haman's Shekalim gained strength from his comment to Achashveirosh that the Jews are a nation "Mefuzar U'Meforad Bein HaAmim", "Scattered and dispersed among the other nations" (Esteir 3:8) Haman interpreted the scattering of Bnei Yisrael a threat to national security, but truthfully Klal Yisrael's lack of unity was extremely detrimental. The Jewish people thrive when they are united, but fail when they are divided. But Hashem already had a solution in place: the Machatzit HaShekel's main purpose was to create a sense of Achdut (unity) among the Jews. The donations were used to fund Korbanot for the Tzibbur, which brought Am Yisrael together and enabled them to overcome their state of "Mefuzar U'Meforad Bein HaAmim."

The Machatzit HaShekel teaches us to never ignore the little things in life; grandiose deeds in public may receive a lot of fanfare, but the smaller, less conspicuous activities, are equally, if not more

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effective.

I heard a story of a Ba'al Teshuva who lived in Yerushalayim who was distressed that his sister was living in India and practicing the nation's religion. He begged her to come see what Judaism was about, but she had no interest in leaving her current religion. Intent on bringing her closer to Judaism, he came up with a plan. He requested that she come visit him in Yerushalayim for two weeks. He even agreed to pay for everything on the condition that she attends one class at a girls' seminary in Yerushalayim. Interested in seeing her family residing in Israel and unconcerned about the impact of one short class, she accepted his offer. As the two weeks drew to a close, she had yet to attend a class, so arrangements were finally made for her to attend the sole class that conformed to her schedule: a dry, very technical Halacha class on Hashavat Aveidah, the laws of returning lost objects. She attended the class, finished her trip in Yerushalayim, and returned to India unaffected by her stay in Eretz Yisrael.

Three weeks later, she was walking with her guru in the marketplace, and they stumbled upon a wallet full of cash. The guru bent down, picked up the wallet, and slipped it into his pocket. She exclaimed, "How can you justify taking that? Someone lost it and it's not yours!" He responded, "Don't worry; I am not going to keep it. I'm giving it to the temple." She did not relent, "But it's not yours, someone lost it and deserves to have it back!" He again replied, "You don't understand, I'm giving it to the temple." But she did understand; she remembered the Halachot of Hashavat Aveidah she learned in the seminary and decided that India was not for her. She returned to Yerushalayim to study at the same seminary and became an Orthodox Jew. One trip, one "dry" class, made all the difference in her return to Judaism.

The little things in life are significant, and should never be underestimated. You never know how much they can accomplish. The minute Machatzit HaShekel was extremely effective in fostering unity among Klal Yisrael, even though it was something that could have easily been overlooked. Even though small details might seem unimportant, they will often have far greater impact than one would expect.

"ANOCHI SHOLEI'ACH MAL'ACH LI'PHANECHA": THREE APPROACHES by Yaakov Zinberg ('18)

After an extensive series of laws, the focus of Parashat Mishpatim switches to a description of the circumstances surrounding Bnei Yisrael's future entry into Eretz Yisrael. Hashem announces: "Behold, I am sending a *Mal'ach* before you to protect you on the way, and to bring you to the place I have prepared. Beware him, listen to his voice, do not rebel against him, for he will not forgive your sins, for My name is within him. For if you listen to him and do that which I speak, I will be the enemy of your enemies and oppose those who oppose you" (Shemot 23:20-22). Hashem then states that He will destroy the Canaanite nations once the angel brings Bnei Yisrael to them. The angel's exact purpose and the reason he is sent are both unclear. What is the nature of this "Mal'ach"?

Rashi notes that the Mal'ach in Parashat Mishpatim is the same as the one described in Parashat Ki Tisa. In the

aftermath of Cheit Ha'Eigel, God vows to Bnei Yisrael "*Ki Lo E'eleh Bi'Kirbecha*," "for I will not ascend in your midst [on your journey to Eretz Yisrael]" (Shemot 33:3). Instead, Hashem informs Moshe Rabbeinu "I will send a Mal'ach before you, and I will destroy" the Canaanite nations. Hashem's telling Moshe of the Mal'ach in Parashat Mishpatim portended Cheit Ha'Eigel, which spurred God's detachment from the entry into the land and the sending of the Mal'ach. Bnei Yisrael "heard of this bad news and mourned" (Shemot 33:4), and after a plea from Moshe, God relents. He says to Moshe "*Panai Yeileichu*" (Shemot 33:14) which Onkeles translates as "*Shechinti TeHach*," "My Shechinah will go with you." Rashi adopts this translation and understands that Hashem is telling Moshe "I shall no longer send an angel; I myself shall go" (Rashi ad loc.). Rashi further identifies the Mal'ach found in both Mishpatim and Ki Tisa with the "Sar Tz'va Hashem" who encounters Yehoshua before the conquest of Yericho. The figure says to Yehoshua, "*Atah Bati*," "Now I have come" (Yehoshua 5:14) and Rashi comments that the angel came to help defeat Yericho, and had also come to assist Moshe, but was unwanted then. Rashi most likely believes that when Hashem told Moshe "*Panai Yeileichu*," He was promising that the Mal'ach would not be involved with the entry into Eretz Yisrael; only God would "protect you on the way and bring you to the place I have prepared" (Shemot 23:20). However, after entering the land, the Mal'ach would still be able to assist Bnei Yisrael, and although its original intent was not to aid in military campaigns, Hashem wanted the Mal'ach involved to ensure the success of Bnei Yisrael.

Ramban believes that the Mal'ach described in Mishpatim is not identical to the one described in Ki Tisa. He feels, as opposed to Rashi, that if the angel was sent as a result of Cheit Ha'Eigel, Hashem would not be telling Moshe Rabbeinu about it beforehand, since, at the current moment, the Mal'ach was not being sent. Furthermore, Moshe only protests the sending of the angel in Ki Tisa, which must mean that the two Mal'achim are fundamentally different. When Hashem informs Moshe in Parashat Mishpatim that he will send an angel, He is still every bit involved in the entry into Eretz Yisrael. The language of "Mal'ach" is used simply because God operates the world by sending angels to carry out His will. After Cheit Ha'Eigel and the removal of God's Shechinah, however, the Mal'ach took on an entirely different role: he became a shaliach who, instead of God, would deal with the entry into the land up close. Moshe, recognizing the negative implications of this shift, demanded that only God lead Bnei Yisrael, and He agreed to restore His Shechinah.

Rambam's interpretation of the Mal'ach differs sharply from Rashi and Ramban. While discussing prophecy in Moreh Nevuchim, Rambam writes (2:34) that the Pesukim in our Parashah concerning the Mal'ach are directly parallel to the Pesukim in Perek 18 of Devarim, in which Hashem describes His future appointment of a Navi. The warning of "Beware him, listen to his voice" provided by Hashem in Mishpatim proves that He is referring not to an angel, but to a Navi; this warning was given to all of Bnei Yisrael, and since the average person never interacts with an angel, it would be unnecessary to caution against disobeying one. Thus, the pesukim in Mishpatim read as follows: "Behold, I am sending an angel before you to protect you on the way, and *who will inform the Navi how* to bring you to the place I have prepared. Beware him (*the Navi*), listen to his (*the Navi's*) voice..." The Navi (who, although the Rambam never states it explicitly, must be Yehoshua) has God's name "within him" (Shemot 23:21), and the Navi who God promises to appoint in Parashat Shoftim will "speak in My name" (Devarim 18:19). Similarly, God orders in Shemot "*U'Shma*

B'Kolo," "and listen to his voice" (23:21), and "*Eilav Tishma'un*," "listen to him" in Devarim (18:15). For the Rambam, this parallel proves that the Pesukim in Mishpatim refer to a Navi as well. The Navi, who receives instructions regarding entry into Eretz Yisrael from the Mal'ach mentioned in Parashat Mishpatim, fits the description of the Navi of Parashat Shoftim.

This interpretation supports one of the Rambam's tenets of prophecy, namely, that all Nevi'im except for Moshe received prophecy through an angel, and helps explain why this Navi is referred to in both Parashat Mishpatim and Parashat Shoftim. Parashat Mishpatim takes place right after Matan Torah. In Mishpatim, Hashem announces that communication between Him and Bnei Yisrael would no longer be direct, like it was just recently at Har Sinai. Instead, an angel carrying a message from Hashem would deliver it to the Navi, who would then share it with the people. This serves to emphasize that the revelation at Har Sinai was a one-time event, and that once in Eretz Yisrael, Bnei Yisrael should look to the Navi (and, in turn, the Mal'ach) as the source of God's word. In Parashat Shoftim, shortly before Moshe's death, Hashem prepares Bnei Yisrael for life after Moshe. God will still communicate with Bnei Yisrael, but no longer will he speak to a man "*Panim El Panim*," "face to face" (Devarim 34:10), as he did to Moshe. The next-generation Navi will receive Nevu'ah indirectly, and this is likely why Hashem feels the need to stress his legitimacy. While Rambam's approach is much further removed from the Pshat than the approaches of Rashi and Ramban, I think it is the most comprehensive. Not only does he address why God must provide a warning to listen to the Navi, he also explains why the Hashem informs Moshe of the Mal'ach and the Navi in Parashat Mishpatim, which deals mainly with legal matters.

THE SLAVE WHO STAYED

by *Yonasan Rutta ('20)*

In Parashat Mishpatim, the Torah introduces the procedures related to an Eved Nirtzah, an Eved Ivri (a Jewish slave) who wishes to continue to remain under his master's rule after the seven years of the Shemittah cycle have concluded. If he wishes to stay with his master, the master must pierce his ear to a doorpost. Rashi (Shemot 21:6 s.v. El Hadelet) quotes the famous Gemara (Kiddushin 22b) which states, "Raban Yochanan Ben Zakkai Hayah Doreish Et HaMikra HaZeh KeMin Chomeir: Mah Nishtanah Ozen MiKol Aveirim SheBeGuf? Amar HaKadosh Baruch Hu: Ozen SheShamah Koli Al Har Sinai BeSha'ah SheAmarti: "Ki Li Bnei Yisrael Avadim" (VaYikra 25:55), VeLo Avadim LaAvadim. VeHalach Zeh VeKaneh Adon LeAtzmo. Yartzea," "Rabban Yochanan ben Zakkai would expound this verse as an allegory: Why is the ear different from all the other limbs in the body, as the ear alone is pierced? The Holy One, Blessed be He, said: This ear heard My voice on Mount Sinai when I said: "For to Me the children of Israel are slaves" (VaYikra 25:55), which indicates that they should not be slaves to slaves. And yet this man went and willingly acquired a master for himself. Therefore, let this ear be pierced".

The Ramat Shmuel, Rav Shmuel Segal, asks: If the reason for the piercing is the Eved refusing to listen to the commandment, "For to Me the children of Israel are slaves," why don't we do this same process for anyone who violates a Mitzvat Asei (a positive commandment)? Didn't their ear also hear Hashem's voice when He commanded them to wear Tzitzit or perform any other Mitzvat Asei?

The Ramat Shmuel first provides some background: we know that we are regarded as Bechorim (firstborn) to Hashem from the Pasuk of "*B'ni Bechori Yisrael*," "Israel is my firstborn son" (Shemot 4:22). Additionally, a Bechor animal needs a Mum Ga'lui, a visible blemish (i.e. a wounded ear) in order for it to lose its sanctity and render it permissible to be used for Chullin (non-sanctified purposes). With this information in mind, the Ramat Shmuel reformulates Rabban Yochanan Ben Zakai's query. Why is the slave acquired permanently through his pierced ear, when usually the wounding of an Eved Ivri by his master sets him free? Rabban Yochanan Ben Zakai now answers that our firstborn relationship with G-D makes us His servants, and that we must first remove an Eved's sanctity as a firstborn before he permanently become someone else's Eved. This is accomplished through the infliction of a Mum Ga'lui, and the Torah specifically instructs us to pierce his ear since it heard "to Me the children of Israel are servants." The Ramat Shmuel eloquently expresses, that we, as firstborns to Hashem, are extremely beloved in Hashem's eyes. Hashem adores us so much that in order to remove this status, we must go to the great lengths of bodily injuring ourselves! This shows how dearly Hashem thinks of all of us!

DOES WATER SUFFICE TO JOIN A ZIMMUN? - IT DEPENDS ON WHETHER YOU ARE ASHKENAZIC, SEPHARDIC OR CHABAD

by *Rabbi Chaim Jachter*

Joining a Zimmun - Chiddushim of the Gemara

The Sugya (Talmudic topic) of who is eligible to join a Zimmun, serves as a wonderful example of authentic Halachic development. The Gemara (Berachot 48a) presents the following rule in the name of the venerable Amora known as Rav: If nine men ate bread and one man ate a vegetable, they may join to create a Zimmun where "Nevareich Elokeinu" (for which ten participants are required) is recited. This statement in itself is a Chiddush since not every participant in this Zimmun will be reciting Birkat HaMazon. Rav teaches that nonetheless, he may join, since the overwhelming majority of the group will be reciting Birkat HaMazon.

The Gemara proceeds to cite Rabi Zeira who inquires of Rav Yehuda as to whether eight or seven men suffice for a Zimmun, if the other two or three men ate only vegetables. Rav Yehuda responds that seven or eight bread eating participants are indeed adequate. Rabi Zeira explains that he thought the question of six men who ate bread and four men who ate vegetables is rather obvious and needs not be discussed. But was this case clearly permissible or forbidden? The Gemara then cites Rabi Yirmiyah who explains that six men eating bread definitely suffices since Rav Yehuda simply requires a majority of the group of ten to have eaten bread. The Gemara concludes, however, that Rabi Zeira did not inquire about six eaters of bread since it is obvious that they do not suffice. This is due to the principle of "Ruba D'Minkar," a noticeable majority of bread eaters is required. Since the Gemara accords the final words of this discussion to Rabi Zeira, Halachic decisors codify his view and require seven bread eaters in order to recite the special Zimmun of "Nevareich L'Elokeinu" (Rambam Hilchot Berachot 5:8, Tur Shulchan Aruch Orach Chaim 197 and Shulchan Aruch 197:2).

The Minority Drinking Wine - The Chiddush of the Rishonim

Tosafot (Berachot 48a s.v. Tishah) expand the discussion by adding that not only do vegetables suffice for the one to three people joining the ten men Zimmun, but wine does as well. This is surprising considering that in the Zimmun we say “Nevareich L'Elokeinu She'achalnu Mishelo” (let us bless our God from whose food we ate). How can drinking wine be described as “eating”? Tosafot answer by citing the Talmudic principle (Yoma 76a) of “Shetiyah Bichlal Achilah”, drinking is regarded as eating.

What about Water? - The Debate among the Early Acharonim

Tosafot's Chiddush is well reasoned and supported by a Talmudic principle (as well as a story recounted in the Gemara regarding King Yanai) and is endorsed by other leading Rishonim such as the Rosh (Berachot 7:21) and the Tur (op. cit.). Rambam (op.cit.), representing the Sephardic tradition, presents a Chiddush similar to Tosafot, establishing that it is sufficient for the one to three non-bread eaters to have simply had “Tzir” (brine) in order to be considered a member of the ten men Zimmun. Rambam's example stems from the Gemara presented in Berachot 48b. Thus, it is not surprising that Tosafot's assertion is codified by the Shulchan Aruch (op. cit.) without any protest from its many commentaries. The Shulchan Aruch, though, places a limitation on Tosafot's Chiddush. He writes that this Chiddush applies to wine but not to water. Rav Yosef Karo, the author of the Shulchan Aruch, reaffirms in his Beit Yosef commentary to the Tur, that water does not suffice since it does not satiate, as stated by the Gemara (Eruvin 27a). The Magen Avraham (198:6), though, voices his disagreement with the Shulchan Aruch. He notes that Tosafot justified the use of wine with the principle of Shetiyah Bichlal Achilah; accordingly, water should suffice as well. Moreover, he cites Shulchan Aruch (Yoreh Deah 228:2) which states that if someone swore not to eat, he is forbidden to drink as well. Water is included in this prohibition, demonstrating that drinking water is viewed as eating. Thus, we may recite “Baruch Sh'Achalnu Mishelo” upon water.

Later Acharonim

How to resolve a debate between these two titans of Halacha, the Beit Yosef and the Magen Avraham? The Mishnah Berurah (197:12) does not arrive at a resolution of this issue. He first cites two major authorities: the Shulchan Aruch Harav (O.C. 197:2) and the Chayei Adam (48:13), who rule in accordance with the Magen Avraham that water suffices. On the other hand, the Mishnah Berurah then cites three lesser renowned authorities who rule in accordance with Rav Yosef Karo that water does not suffice. Thus, the Mishnah Berurah does not resolve this question, as he simply cites later authorities who have come down on either side of our issue. The Aruch HaShulchan (O.C. 197:5), though, unequivocally rules in accordance with the Shulchan Aruch that water does not suffice. Not surprisingly, Rav Ovadia Yosef and Rav Yitzchak Yosef (Yalkut Yosef Kitzur Shulchan Aruch O.C. 197:6) rule that water does not suffice. Although the Shulchan Aruch permits even one who has drunk any drink, Rav Yosef rules that only an alcoholic drink suffices. Rav Yosef seems to believe that the Shulchan Aruch's exclusion of water, refers to any non-alcoholic drink. (Rav Yosef adopts a similar approach regarding Havadalah, see Teshuvot Yechave Da'at 2:38.) Accordingly, water suffices for Chabad Chassidim, who strictly adhere to the rulings of the Shulchan Aruch Harav, to join a Zimmun. However, water does not suffice for other Ashkenazic Jews to join a Zimmun. For Sephardic Jews, any non-alcoholic beverage will not suffice.

Seltzer and Lemonade - The Aruch HaShulchan

Both the Mishnah Berurah (citing the Bigdei Yeisha) and the Aruch HaShulchan explain Rav Yosef Karo's exclusion of water not only on the basis of its lack of nourishment, but also due to its lack of Chashivut, significance. They explain that water is not sufficient of a drink to create a Tziruf, bonding, which is necessary to trigger an obligation to recite a Zimmun. Based on this explanation, the Aruch HaShulchan rules that “enhanced water” such as seltzer or lemonade does suffice to create a Zimmun.

Bottled Water - a Suggestion

Based on the Aruch HaShulchan, one may make a somewhat bold suggestion that today, bottled water should suffice for all Ashkenazic Jews to create a Zimmun. Bottled water, especially the fancier varieties, are more “Chashuv” than tap water, as evidenced by the fact that hosts will very often offer bottled water to their guests. Thus, it is currently possible that in combination with the rulings of the Shulchan Aruch Harav and Chayei Adam, bottled water alone suffices for Ashkenazic Jews to join a Zimmun. However, I posed this question to two prominent Rabbanim, Rav Yaakov Luban and Rav Baruch Simon, both of whom agreed that bottled water is not considered more significant than ordinary tap water in regards to Zimmun.

Conclusion

The issue of non-bread eaters joining a Zimmun has enjoyed a robust development from the time of the Gemara until this very day. Each generation adds a layer continuing to expand the beautiful edifice. The beauty lies in the fact that each new generation utilizes the identical principles, methodology and spirit of its predecessors. The ever growing nature of Torah with its thorough rootedness in the past is what makes it a true and authentic “Eitz Chayim” (tree of life).

Postscript

There is considerable debate within Tosafot as to whether the rules set forth in our discussion apply only to a Zimmun of ten but even to a Zimmun of three. The Rambam rules that it applies only to a Zimmun of ten but the Rosh believes that the same rules apply to a Zimmun of three. The Halacha has emerged that while it is best of the third person would eat bread, he may create the Zimmun even if he did not eat bread. This point is agreed by Sephardic, Ashkenaz and Chabad Jews (Shulchan Aruch Harav, Mishna Berurah, Aruch HaShulchan and Yalkut Yosef).

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