



# Halachically Speaking

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- ▶ **Compiled by Moishe Dovid Lebovits**
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- ▶ All Piskei Horav Yisroel Belsky Shlita  
are reviewed by Horav Yisroel Belsky Shlita

## Wearing a Yarmulka

Every male Jew knows that he has to wear a *yarmulka*. Why is this the case? When is one obligated to wear a *yarmulka*? Does it make a difference if one is walking or sitting? Is one allowed to be lenient when playing ball, at the pool, or at work? How large must the *yarmulka* be? All these questions and a lot of others will be dealt with in this issue.

### Reasons and Symbolism

The acronym of *yarmulka* is “*yurei malka*” fear of the King,<sup>1</sup> and is taken from the polish word *jarmulka* which means “cap.”<sup>2</sup> Other people use the term *kippah*, which means a dome. The *Gemorah* in *Shabbos*<sup>3</sup> says that wearing a *yarmulka* brings one to fear *Hashem*. The bigger one’s *yarmulka* the more *yiras shomyaim* he has. External actions can create internal awareness; wearing a symbolic, tangible head covering reinforces the idea that *Hashem* is always watching us. The *Shechinah* is above us therefore we may not uncover our heads.<sup>4</sup> The *yarmulka* is a means to draw out one’s inner sense of respect for *Hashem*. Wearing a *yarmulka* humbles a person<sup>5</sup> and also protects one from

sinning.<sup>6</sup> The *Gemorah*<sup>7</sup> relates that *Rav Huna* said “may [a reward] come to me for I have never walked four *amos* without a head covering.” The *Medrash*<sup>8</sup> says one who is lazy with covering his hair brings sickness upon himself. The *Aruch Ha’s hulchan*<sup>9</sup> explains the concept of wearing a *yarmulka* in the following manner; the head is where the brain is and that is the source of wisdom and fear. One should not reveal his bare head in front of *Hashem* since the whole world is filled with His honor. One who does not cover his head allows the *yetzer hara* to easily win over him.

### Different Types

There are many different types of *yarmulkas* that people wear. The reason why many people wear black *yarmulkas* is because the color black humbles a person and is a modest color.<sup>10</sup> *Rabbonim* in the early nineteenth century used to wear a scholar cap. Some sects wear suede *yarmulkas*, while others wear *yarmulkas* with different designs on them. One who is *yirei shomayim* should be careful not to wear inappropriate designs on his *yarmulka* (such as sport team logos, etc).<sup>11</sup> A see through *yarmulka* is a good head covering.<sup>12</sup>

<sup>1</sup> Masef Lechol Hamachanus 2:21.

<sup>2</sup> Wikipedia Dictionary. Refer to Hakirah 4:page 221:footnote 1.

<sup>3</sup> 156b, see Mesechtas Shabbos 118b, Kedushin 8a, Bais Yosef 8:2, Lev Ha’arets 2:6:44, Yesodo Yeshurin 1:page 10.

<sup>4</sup> Rambam in Moreh Nevuchim 3:52.

<sup>5</sup> Sefer Chassidim 53, Levush 2:6, 91:3, Shulchan Aruch Harav 2:6, Chasam Sofer C.M. Hashmutos 191, Malbim in Otzros Ha’chaim 2:45, see Rambam Hilchos De’os 5:10, Zera Yaakov 21:page 246.

<sup>6</sup> Shulchan Hatohar (Roth) 5:page 42.

<sup>7</sup> Mesechtas Shabbos 118b.

<sup>8</sup> Medrash Rabbah Vayikra 19:4.

<sup>9</sup> 2:10.

<sup>10</sup> Refer to Kitzur Shulchan Aruch 3:2.

<sup>11</sup> Refer to Levush Malchus page 111:8.

<sup>12</sup> Doleh U’ mashka page 3. In regard to wearind a toupee see Be’er Heitiv 2:6, Pri Megadim Eishel Avraham 91:4, Hamier

### Four Amos and Less

According to some *poskim* walking without a *yarmulka* for more than four *amos* is forbidden.<sup>13</sup> The *Taz*<sup>14</sup> (and others)<sup>15</sup> explains that doing so is a transgression of “*Don’t follow any of their traditions.*”<sup>16</sup> In the olden days, a tradition among the *goyim* was that they used to take off their hats as a sign of honor. In order not to follow in their traditions *Jews* began to keep their head covered at all times. *Horav Moshe Feinstein zt”l*<sup>17</sup> says that since today non-Jews are accustomed to walking with their head uncovered the *Taz’s* reasoning would not apply. Some say that the *Taz’s* reason does apply today.<sup>18</sup>

According to the writings of the *Zohar* one should not walk without his *yarmulka* even less than four *amos*.<sup>19</sup> Most *poskim*<sup>20</sup> maintain that wearing a *yarmulka* while walking less than four *amos* (about eight feet) is a pious act.

*L’maseh*, the *minhag kodesh* of *klal yisroel* is to always keep ones head covered and one should not be lenient, even when walking less than four *amos*.<sup>21</sup>

### Sitting

The same *halacha* that applies to not walking without a *yarmulka* applies to sitting without a *yarmulka* as well.<sup>22</sup> Therefore, it is a pious act to wear one’s *yarmulka* while sitting, and this is the accepted *minhag* in *klal yisroel*. There is no difference if one is sitting outside or inside.<sup>23</sup>

### Not Wearing a Yarmulka

Some *Sefardim* do not cover their heads when walking in the street since they rely on the *poskim* who say doing so is not an obligation. In *Eretz Yisroel*, where there are non-*frum yidin* who do not cover their heads, going around without a head covering should be avoided because one should not associate oneself with them.<sup>24</sup>

### Size

There is a discussion among the *poskim* about how big the *yarmulka* has to be. Some *poskim* say that it has to cover most of the head,<sup>25</sup> others say it should cover the whole head.<sup>26</sup> *Horav Moshe Feinstein zt”l*<sup>27</sup> held that if one can see the *yarmulka* when it is being worn it is called a covering and is sufficient;<sup>28</sup> however a *ben Torah* should wear a standard size *yarmulka*. The *teshuva* which discusses the minimum requirement of a *yarmulka* (can be seen) was only to delineate the guidelines

La’aretz 2:54, Mishnah Berurah 2:12, Encyclopedia talmudis 6:pages 191-192.

<sup>13</sup> Shulchan Aruch 2:6.

<sup>14</sup> 8:3.

<sup>15</sup> Shulchan Aruch Harav 6, Nemukey Orach Chaim 2:6, Mishnah Berurah ibid, Shar Ha’tzyion 17, Kitzur Shulchan Aruch 3:6, Minhag Yisroel Torah 6:pages 62-69, Tzitz Eliezer 13:12:page 32.

<sup>16</sup> Sefer Vayikra 20:23.

<sup>17</sup> O.C. 1:1, O.C. 4:2, 4:40:14, Y.D. 4:11:3. Refer to Mekor Chaim 2:10.

<sup>18</sup> Be’er Moshe 8:40.

<sup>19</sup> Parshas Boluk page 187a.

<sup>20</sup> Refer to Mesechtas Kiddushin 31a, Maharshal 72, Rambam Hilchos Deos 5:6, Bach 2, Prisha 2:6, 8:5, Darchei Moshe 2:2, 8:4, Magen Avraham 2:6, 91:3, Mishnah Berurah 2:11, Aruch Ha’s hulchan ibid, Kaf Ha’chaim 91:13, Mamer Mordechai 93:5, Igros Moshe O.C. 4:2, Minchas Yitzchok 3:33:3, Maharam Brisk 2:8, Yechaveh Da’as 4:1. Refer to Rivevos Ephraim 4:185, Yabea Omer O.C. 6:15:5, Tzitz Eliezer 4:8, 5:6:1, 14:49, Zera Yaakov 21:pages 239-254. See G’ra 8:6, Machzik Beracha 2:2, Birchei Yosef 2:2, Kaf Ha’chaim 2:15, Rivevos Ephraim 4:185, Ohr L’tzyion 2:17:footnote 13, Hakirah 4:pages 221-235 in depth, Journal of Halacha and Contemporary Society 52:page 9.

<sup>21</sup> Refer to Moreh Nevuchim 3:52, Sefer Chassidim ibid, Ben Ish Chai V’ayishlach 1:16, Chasam Sofer Nedarim 30b, Igros

Moshe O.C. 1:1, Yechaveh Da’as 4:1, Yabea Omer 9:1, Lev Avraham 1:1, Nemukey Orach Chaim 2:6:2, Tzitz Eliezer 13:12:page 32, Asei Lechu Rav 1:27, Bais Avi 4:10.

<sup>22</sup> Refer to Birchei Yosef 2:3, Zera Yaakov 22:pages 259-267, Tzitz Eliezer ibid.

<sup>23</sup> Elya Rabbah 2:4, Mishnah Berurah 10, Shar Ha’tzyion 17, see Be’er Heitiv 2:6, Zera Yaakov 23:pages 244-250. Refer to Mishnas Binyomin 35.

<sup>24</sup> Yechaveh Da’as 4:1, Otzros Yosef 1:4, Ohr L’tzyion ibid, Yabea Omer 9:1.

<sup>25</sup> Refer to Elef Lecha Shlomo O.C. 3, Birchos Habayis 1:22, Yaskil Avdi O.C. 6:page 292a, Teshuvos V’hanhugos 1:13, Yechaveh Da’as 4:1, Orchos Rabbeinu 3:page 185:6, Dinim V’hanhugos of the Chazzon Ish 1:7, Aleh V’tomar page 10:5, Doleh U’mashka page 2, Nekius V’kovod B’tefilla page 185:127, Ohr L’tzyion ibid, see Pri Megadim Eishel Avraham 2:6.

<sup>26</sup> Orchos Rabbeinu ibid.

<sup>27</sup> O.C. 1:1, see Yechaveh Da’as ibid, Otzros Yosef 1:4, Miyum Ha’halacha 1:5.

<sup>28</sup> Refer to Nekius V’kovod B’tefilla page 93:footnote 20. Some say it does not have to be larger than one’s hand (Pischei Halacha Berochos 1:footnote 131).

for rebuking someone with an unacceptably small *yarmulka*.<sup>29</sup> *L'maseh*, one should not wear a *yarmulka* which does not cover most of his head or which one cannot see it from all sides. Accordingly, one who has a lot of hair should be careful to avoid wearing a small *yarmulka*.<sup>30</sup>

### Young Children

Some *poskim* are of the opinion that a young child should wear a *yarmulka* even before his *upsherin*,<sup>31</sup> from the time he begins to talk.<sup>32</sup> However, the custom of most people is for the child to begin wearing a *yarmulka* on the day he turns three,<sup>33</sup> even though the *inyun* of wearing a *yarmulka* is not related to the *inyun* of an *upsherin*. Therefore, if for some reason one does not cut the child's hair on the day he turns three, the *yarmulka* should still be placed on the child.<sup>34</sup> One should train his child not to remove his *yarmulka* throughout the day.<sup>35</sup>

### Modei Ani

There is a discussion in the *poskim* whether or not one is permitted to recite *modei ani* while not wearing a *yarmulka*. One who cannot find his *yarmulka* should cover his head with a blanket before reciting *modei ani*.<sup>36</sup>

### While Playing Ball

The following is a very pertinent quote from Horav Yisroel Belsky Shlita "...and while one is playing ball or engaged in any sport G-d forbid that he should remove his *yarmulka*, for doing so leads to lightheadedness and stems from a lightheaded

attitude. One who fears that his *yarmulka* might fly off should attach it with a bobby pin."<sup>37</sup>

### Swimming Pool

One should keep his *yarmulka* on when going to the pool and should only remove it when he is about to go into the water.<sup>38</sup> One should put on his *yarmulka* immediately after he comes out of the pool.<sup>39</sup> Wearing a *yarmulka* is not necessary when a person is actually in the pool, shower, or *mikvah*,<sup>40</sup> although others are stringent.<sup>41</sup>

### Yarmulka and Hat

One should not put his *yarmulka* into his hat before putting the hat onto his head since it is considered as if one is putting on two garments at the same time which can lead to forgetting one's *Torah* knowledge.<sup>42</sup>

### Beracha - Covering one's Head with His Hand etc.

One who wants to eat or drink something must have his head covered.<sup>43</sup> One who is not wearing a *yarmulka* and wishes to make a *beracha* should ask another person to place their hand on his head.<sup>44</sup> One may not use his own hand for this purpose, since it is not considered a valid covering.<sup>45</sup> Alternatively, one may place his own sleeve on his

<sup>37</sup> Horav Yisroel Belsky Shlita, see Rivevos Ephraim 5:40, Be'er Sarim 3:66, Asei Lechu Rav 8:page 335.

<sup>38</sup> Lekach Hakemach Hachodesh 2:23.

<sup>39</sup> Refer to Ben Ish Chai Vayishlach 1:16, Kaf Ha'chaim 2:9, Rivevos Ephraim 8:477:3, Orchos Rabbeinu 1:page 103:14, Halichos Shlomo Tefilla 13:footnote 26, Doleh U'mashka page 7.

<sup>40</sup> Birchei Yosef 2:5, Sharei Teshuva 3, Ben Ish Chai ibid, Lev Ha'aretz 2:6:52, Kaf Ha'chaim 2:17, Minchas Yitzchok ibid, Yabea Omer O.C. 6:15:7. Refer to Rivevos Ephraim 4:185, Shila D'kaita page 353 quoting the opinion of Horav Elyashiv Shlita, Teshuvos V'hanugos 1:12.

<sup>41</sup> Machzei Avraham 5, Toras Yekoseal 12, Lekutei Maharich 1:page 8. The Sheilas Rav page 144 says one who does so is not considered showing off.

<sup>42</sup> Horav Yisroel Belsky Shlita. See Tefilla V'hilchoseha 1:7.

<sup>43</sup> Shulchan Aruch 91:3, 206:3, Shulchan Aruch Harav 91:3, Chai Adom 1:9, Mishnah Berurah 2:12, Chaim Shaul 2:35.

<sup>44</sup> Shulchan Aruch 91:4, Mishnah Berurah 74:9.

<sup>45</sup> Shulchan Aruch 91:4, Rama 74:2, Mishnah Berurah 2:12, (in time of need one can be lenient), 91:10, see Maharshal 72. See Taz 8:3.

<sup>29</sup> Horav Yisroel Belsky Shlita.

<sup>30</sup> Refer to Yugel Yaakov page 152:footnote 249, Teshuvos V'hanugos 1:13.

<sup>31</sup> Magen Avraham 2:6, Lev Ha'aretz 2:6:50, Levush Malchus page 106:3, Chai Ha'Levi 4:111:3, Nekius V'kovod B'tefilla page 185:128. Refer to Kitzur Shulchan Aruch 3:6, Divrei Yatziv 1:60.

<sup>32</sup> Opinion of Horav Elyashiv Shlita quoted in Nekius V'kovod B'tefilla page 92:14:footnote 19.

<sup>33</sup> Hilulei D'Rashbi page 98, Devar Moshe 72:1. Refer to Mesechtas Nedarim 30b.

<sup>34</sup> Levush Malchus page 108, Chinuch Yisroel 8:page 239, Natei Gavriel (Upsherin) 16:5:footnote 11. Refer to Levush Malchus page 108:footnote 13 who brings those who argue and say if the child's hair is not cut on his third birthday then he should not wear a *yarmulka* until his hair is cut.

<sup>35</sup> Shulchan Hatohar (Roth) 5:page 42.

<sup>36</sup> Refer to Rivevos Ephraim 4:2, Tefilla K'hilchoso 9:3.

head and it is considered like a cover.<sup>46</sup> *B'dieved*, a *beracha* which was made without a head covering is a valid *beracha*.<sup>47</sup>

### Traveling

One may cover his head with his hand while he is traveling if he does not have a *yarmulka* on hand.<sup>48</sup>

### Shul

One is not allowed to enter a *shul* without covering his head.<sup>49</sup> One is permitted to take off his *tefillin shel rosh* in *shul* even if in the interim his head will be uncovered.<sup>50</sup> One should try to convince a worker who is a *yid* but is not *frum* to wear a *yarmulka* while he is working in *shul*.<sup>51</sup>

### Davening

One's head should be covered when *davening*.<sup>52</sup> One who realized he *davened* without a head covering does not have to repeat his *tefilla*.<sup>53</sup>

### Learning

One should not say words of *Torah* without a head covering.<sup>54</sup> This is very common while standing in a pool and talking to a friend.<sup>55</sup> In this situation one

is only required to cover his head, and one need not be fully dressed.<sup>56</sup>

### Amen

The custom is to allow the answering of *amen* without a head covering.<sup>57</sup> This is common at a wedding when a non-*frum yid* wants to answer *amen* to a *beracha* under the *chuppah*.

### At Work

Years ago people had to deal with the fact that many non-Jews did not allow a *yid* to wear a *yarmulka* to work. Today this problem is mostly non-existent. However, if one is in a situation where he is not allowed to wear a *yarmulka* to work, then some *poskim* say one is allowed to walk around without a head covering if covering his head will cause him to lose his livelihood.<sup>58</sup>

### In Court

One who is asked by a judge to remove his head covering may do so in court.<sup>59</sup>

### Saying Shalom Without a Yarmulka

One is allowed to say "Shalom" without wearing a *yarmulka* (or any other head covering) even though it is the name of *Hashem*, since one does not have intent to pronounce *Hashem's* name when saying Shalom.<sup>60</sup> This is very common when one is sitting in the barber chair.<sup>61</sup> Even according to the stringent opinion, one who is scared that he will get hurt if he does not answer is permitted to say Shalom.<sup>62</sup>

<sup>46</sup> Mishnah Berurah 2:12, 91:10.

<sup>47</sup> Aruch Ha'shulchan 206:6, Igros Moshe 4:40:24, Yabea Omer O.C. 6:15:5, Halichos Shlomo Tefilla 2:16, Rivevos Ephraim 6:29:2. Others argue (Avnei Yushfei 5:33:3).

<sup>48</sup> Lekach Hakemach Hachodesh 2:21.

<sup>49</sup> Kol Bo 11, Shulchan Aruch 151:6, Levush 6, Magen Avraham 8, Mishnah Berurah 22, see Elya Rabbah 10, Birchei Yosef 9. Refer to Biur Halacha "oy."

<sup>50</sup> Bais Yehuda 4:5:footnote 11, Yabea Omer O.C. 6:15:5.

<sup>51</sup> Mishkan Dovid 5:27:footnote 54 quoting the opinion of Horav Elyashiv Shlita.

<sup>52</sup> Rambam Hilchos Tefilla 5:5, Shulchan Aruch 91:3, Chai Adom 22:8.

<sup>53</sup> Halichos Shlomo Tefilla 2:16, Ohr L'tzyion 2:7:13:footnote 13, Yabea Omer O.C. 6:15:6, 9:1, see Igros Moshe O.C. 4:40:14 who seems to argue. Refer to Igros Moshe Y.D. 4:11:3.

<sup>54</sup> Refer to Kitzur Shulchan Aruch 3:6, Mishnah Berurah 2:12, See Melamed L'hoel 2:56:page 51 where he says when Horav Shmshon Refoel Hirsch was teaching students their heads were not covered. Refer to Rivevos V'yovlos 3:pages 190-191.

<sup>55</sup> Refer to Mesechtas Sofrim 14:15, Rama O.C. 282:3, Mishnah Berurah 2:12, Shila D'kaita pages 258-259, Modanei Yom Tov 1:page 150, Rivevos Ephraim 8:521, Yugel Yaakov page 2.

<sup>56</sup> Horav Yisroel Belsky Shlita.

<sup>57</sup> Miyum Ha'halacha 1:3, Rivevos Ephraim 6:34:1.

<sup>58</sup> Refer to Lekach Hakemach Ha'chodesh 2:26, Igros Moshe O.C. 4:2, C.M. 1:93, Y.D. 4:11:3, Rivevos Ephraim 3:533:3, Minchas Yitzchok 3:33:3, see Toras Yekoseal 12 who is not convinced to permit it. Refer to Maharam Brisk 1:8. Some say one should wear a cap (Igros Moshe Y.D. 4:11:3).

<sup>59</sup> Melamed L'huel Y.D. 2:56, Shearim Metzuyanim B'halacha 3:4, Rivevos V'yovlos 3:page 192. Refer to Aruch Ha'shulchan 2:10 in parentheses.

<sup>60</sup> Refer to Igros Moshe O.C. 4:40:24, Halichos Shlomo Tefilla 2:16:footnote 26, Teshuvos V'hanugos 1:12, Rivevos Ephraim 1:7:1, Yalkut Yosef 1:page 155:27, Yabea Omer O.C. 6:15:8, 9:1:7, Halacha Berurah 2:20, Otzros Yosef 1:5:3, Piskei Teshuvos 2:10.

<sup>61</sup> Yabea Omer 9:1:7.

<sup>62</sup> Refer to Igros Moshe ibid.

### **During a Haircut**

Some people are very careful to place a *yarmulka* on the side of the hair not being cut during a haircut,<sup>63</sup> but this is not expected of everyone.

### **Going to a non-Kosher Place**

One who wants to go to a non-kosher place and does not feel like wearing a *yarmulka* because he is embarrassed to be there should still wear his *yarmulka*.<sup>64</sup>

### **Sleeping With a Yarmulka**

Although avoiding walking without a *yarmulka* for four *amos* is not required *al pi din*, it is considered a pious act. Accordingly, many people have a custom to wear a *yarmulka* while sleeping.<sup>65</sup> Some people also have a custom to sleep with an extra big *yarmulka* which will not fall off during the night.<sup>66</sup>

### **Discarding a Yarmulka**

One who has no more use for his *yarmulka* is permitted to discard it by putting it directly in the garbage.<sup>67</sup>

### **On Shabbos**

The custom is to permit one to wear a *yarmulka* under his hat on *Shabbos* in a public place that does not have an *eiruv* since the *yarmulka* is not viewed as a burden but rather as an article of clothing. This is even if one does not wear a *yarmulka* under his hat during the week.<sup>68</sup>

### **On Yom Kippur**

On *Yom Kippur* many have the custom to wear a white *yarmulka*. One is permitted to walk into the bathroom while wearing it (since it is not considered a garment meant specifically for *tefilla*).<sup>69</sup>

### **Lo Yilbash**

One is permitted to use a bobby pin to hold down his *yarmulka* from flying off and it is not considered *lo yilbash*.<sup>70</sup>

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<sup>63</sup> Piskei Teshuvos 2:footnote 84. quoting the custom of his father zt"l.

<sup>64</sup> Igros Moshe O.C. 2:95:page 288, Y.D. 2:33.

<sup>65</sup> Mishnah Berurah 2:11 quoting the opinion of the Shlah, Tov Yehoshua page 116:8, Lekach Hakemach Ha'chodesh 2:23, Halacha Berurah 2:11, see Leket Yosher page 46 who permits sleeping without a *yarmulka*. If the *yarmulka* fell off one does not have to worry about putting it on (Opinion of Horav Shlomo Zalman Aurbach zt"l quoted in Pischei Halacha Berochos 1:footnote 136).

<sup>66</sup> Levush Malchus pages 112-113.

<sup>67</sup> Horav Yisroel Belsky Shlita, see Ginzei Hakodesh 20:6 quoting the opinion of Horav Korelitz Shlita. Refer to Ginzei Hakodesh page 270:101.

<sup>68</sup> Maharshag 2:48, Mahari Shteif 73, Oz Nedberu 2:41, see Levushei Mordechai 1:52 who argues. Refer to Shulchan Aruch 301:36, 41.

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<sup>69</sup> Matei Ephraim 609-610:12.

<sup>70</sup> Refer to Rivevos Ephraim 5:40.

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