

# Resources for Learning Even HaEzer & Choshen Mishpat

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## Background

Given a few years attempting to make a first round through these most challenging sections of Shas and Poskim, I've garnered some information about how to make this process more efficient. Certainly, I am a mere Avrech in Kollel, but perhaps that gives me the relatability to anyone else in this camp as to sharing what I found helpful as a regular guy and not a razor sharp gaon with an exceptional memory (like my Chavruta).

**עשות ספרים הרבה אין קץ** - There's no end to sefarim on any given topic, especially kitzur sefarim that regurgitate every nekudah or just some layers of the sugya, but also pesakim and teshuvot of innumerable dayanim from throughout history. I have spent too many hours in the YU library, on Otzar HaChochmah, and on various sefarim store websites sifting through some of them and eventually settled for a selection that I found helpful, efficient, exciting, novel, etc, but that's not to the exclusion of others per say.

Many of the review sefarim are essentially the same; some are better at summarizing and others are worse. I don't necessarily use all of them each time, but I do look to them as my go-to's when I need something of their category. There's no end to compendiums of practical cases either.

Most of my time has been spent in Even HaEzer, and very little has been in the real trenches of Choshen Mishpat past Dayanim and Edut, so I'm certainly not entitled to an opinion on those sections. Just sharing observations of the past few years.

That said, please feel free to use, comment, disagree, and share. I've included notes from others in dark blue, as well.

-Mordechai Djavaheeri

## The Basics

To be clear, **every sugya begins with the Gemara, basic Rishonim (Rif, Rosh, Ran/Nimukei Yosef, Rambam), Tur, Beit Yosef, Shulchan Aruch and standard Nosei Kelim** - in Even HaEzer, the Chelkat Mechokeket and Beit Shemuel, and, in Choshen Mishpat, the Shach and SMA, plus the Pitchei Teshuvah in both of them. Without these, we can't have a conversation lemaaseh.

The **Pitchei Teshuvah** is an excellent summary of the Acharonim. One who opens up the mekorot he quotes won't be let down, but, unless you're a bibliophile (like Rav Meshash<sup>1</sup>) with many hours to spend on every seif looking up every Ra'anach, Radbaz, Maharival, Maharashdam, Maharshach, and Maharchash, Noda BeYehuda, Chatam Sofer, Sha'ar HaMelech, Chida, etc. that is quoted, you will have to suffice with the Pitchei Teshuvah. He does not misrepresent. That said, I thoroughly enjoy pretending I have the time.

Beautiful sources. But the very important sefer in אבן העזר is שדי חמד and שער המפקד. The focus on learning אבן העזר משפטיו once I heard in the name of rav moshe that to remember everything is very difficult. one should learn in a way that he knows where everything is incase he needs to look it up you know which Simon to look. בהצלחה (RSK)

## Choshen Mishpat

### General Shulchan Aruch Commentaries

1. The **Ketzot, Netivot, and Tumim** are essential for Choshen Mishpat, if you have the time to do them well, but, most probably, you'll have to save them for round two. Same goes for the **Chida** who wrote long pieces in **Birkei Yosef**, although he only covered

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<sup>1</sup> [שמש ומגן ח"ב או"ח סי' נד](#)

Dayanim and Edut.<sup>2</sup> There's no way a normal person learning three sedarim a day has time for **Imrei Binah** and **Mishpat Shalom** in a systematic way, in my opinion.

2. Due to the lack of Pri Megadim, sometimes you want an Acharon's view on the sugya, so the recently (2021) published **11 Mefarshim on Choshen Mishpat** is quite helpful to glance at and see if anyone liked or disliked the Shach/SMA you're discussing. **Rav Refael Enkawa's Pa'amonei Zahav** is included here in case you need some Sephardi pride.
3. The Morasha Lehanchil/Friedman Shulchan Aruchs have great shoulder cross references to where a line in a mefaresh is disputed in later Poskim. If something is bothering you, look in the place they cite.

## Shulchan Aruch Review and Likut Commentaries

4. **Halacha Pesukah** - Machon Harry Fischel, bottom line summaries al seder Shulchan Aruch with great footnotes and appendices for longer discussions. Old and mostly out of print but gold if you find one.
5. **Levushei Choshen** - Mishnah Berurah-Biur Halacha style on Choshen Mishpat, Dayanim, Edut, Shetarot, and a few more topics. Out of print mostly, but available in PDF and on the standard websites. I didn't use the Biur much, but his basic summary of all the standard nosei kelim is great, plus if you want to know more about a specific one, he's probably got a biur halacha on it.
6. **Shinun HaMishpat** (1-43) - part of Machon Rosh Pinah's simplified portable Shulchan Aruch project. They started with this and then went to do Shinun HaEzer and Shinun De'ah in full instead. Maybe they'll come back and redo it later.

## Specific Topics/Authors

1. **Rav Ezra Batzri's Dinei Mammonot** is an excellent *halacha lemaaseh* kitzur shulchan aruch style sefer with great references in the footnotes. One of the topics I noticed he's proud of is his treatment of Kinyanim.
2. **Rav Ovadia Yosef Toledano**, son of Rav Mordechai Toledano, and grandson of Rav Ovadia Yosef is a world class dayan who has put out an incredible halacha lemaaseh series known as **קוּי טוּ** on Choshen Mishpat topics. **Mishpat HaKinyan** on kinyanim, **Mishpat HaSechirut** on property rental, **Mishpat HaMechirah** on Mechirat Chametz,

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<sup>2</sup> **Rav Asher Weiss** tells how he went to the **Klausenberger Rebbe** as a young Avrech and proudly related that he had just finished Hilchot Dayanim with the Ketzot and Netivot, to which the Rebbe responded something along the lines of how "without the Tumim you didn't understand anything." R' Asher Weiss then went through the Tumim and understood what the Rebbe meant. I heard the story from him a long time ago, so it's a little foggy in my mind, but that's the ikar.

**Mishpat HaEdut** on Edut (the produce of a lemaaseh case with the Beit Din of America). They all share the Rav Ovadia style of Halacha Lemaaseh on top and sugya in the footnotes, but he bifurcates the footnotes into shorter and longer sections to make it easier to read. He also has she'elot uTeshuvot **Meshiv Mishpat**. I'm a big fan.

3. Rav Ovadia didn't write that much here, but what he has is always good.
4. I haven't had enough time with **Rav Bloy's Pitchei Choshen** to say anything. - [Pitchei Choshen is an amazing resource, he simplifies the Shulchan Aruch and Nosei keilim and adds a few chashuv he'arot here are there. It is good to read after learning the siman so that you can see all of the l'maaseh in an organized order. \(YN\)](#) Certainly instead of Rav Batzri, this would be an alternative. It's much more expansive.
5. **Seder HaDin** - contemporary lemaaseh applications of Hilchot Dayanim in one big volume. Easier to think about getting through than Rav Dr. Shochetman's three volume work on the same topic. He also has a volume **Vaad HaBayit BaHalacha**. I'm not sure how to pronounce his name.

## Even HaEzer

### General Shulchan Aruch Commentaries

1. The **Yad Aharon** is a core Sepharadi Posek essential to learning Even HaEzer: Rav Basri quotes him on basically every other page if not footnote lema'aseh. Machon HaKeter published a new edition in 2022, Baruch Hashem!
2. The **Chida's Birkei Yosef** is also great, but he only wrote on a handful of simanim from the beginning through Hilchot Kiddushin.
3. **Yafeh LaLev** is good, too, but it can get very drushy (see his father, Rav Chaim Palagi's Re'eh Chaim, for comparison). Machon HaKeter published a reorganized version of it that streamlines the many volumes of the work into one stream of commentary instead of having to check six different volumes for every seif.
4. The Morasha Lehanchil/Friedman edition has this great addition called **Rosh Pinah** that serves as a supercommentary on the Chelkat Mechokek and Beit Shemuel
5. I love **Aruch HaShulchan**, but it gets very long and not worth it eventually. The massive simanim of shelichut gittin made me leave it for another time.
6. People say they like the **Chelkat Binyamin** on the lshut.

## Shulchan Aruch Review and Likut Commentaries

7. **Otzar HaPoskim** - Mid-20th-Century work attempting to put all the poskim of its day in a nice summary on the page of Shulchan Aruch, i.e. picking up where the Pitchei Teshuvah left off, literally, on every detail. They didn't finish, took a big break, reprinted a few times, stopped, and then did four gorgeous volumes on Gittin. Currently unclear if the core volumes will ever be reprinted.
8. **Shinun HaEzer** - Machon Rosh Pinah's simplified summary of the page of Shulchan Aruch - Chelkat Mechokek, Beit Shmuel, Pitchei Teshuvah, and ideas mentioned in the Tur/Beit Yosef that didn't make it to the page of Shulchan Aruch. Very handy to carry around in place of a large volume of Shulchan Aruch when doing constant Chazarah!
9. **Even Berurah** - Rosh Pinah's modern Mishnah Berurah-Biur Halacha style commentary on the page of Shulchan Aruch. More up to date than Otzar HaPoskim, but I haven't had enough time with it yet to say much more.
10. **Nehar Mitzrayim** is very practical but limited.

## Specific Topics/Authors

1. Overall, **Rav Moshe is the king in Even haEzer**, as he has dozens and dozens of teshuvot covering much of the gamut of this section of Shulchan Aruch, including ishut, yichud, kiddushin, ketubot, and *especially* gittin. **Rav Moshe and Rav Henkin were the two Amudei Horaah in the American Gittin scene**. Rav Henkin also has Teshuvot and articles in his collected writings. Just go through every teshuvah you can and take notes. **Tzitz Eliezer** is a great source for a different vantage point.
2. **Rav Ovadia** wrote a tremendous amount that needs to be reckoned with. Rav Yitzchak Yosef always says how dayanim tell him how **they can't move without Yabia Omer vol. 8, 9, and 10**. After spending three months learning the first four Simanim of Even HaEzer, I'm constantly understanding more and more how true that statement is.
3. **Dinei Ishut** by **Rav Ezra Batzri**, veteran Dayan with extensive experience and expertise in Even HaEzer. It's Kitzur Shulchan Aruch lemaaseh style on top with references to all the relevant poskim in the footnotes plus a sprinkling of Maaseh Rav. Some essays in mussar in the back, as well.
4. Yichud and Arayot - **Gan Naul** by Rav Yaakov Levy, a young contemporary rabbi.
5. Gittin -
  - a. You must have a **Get Pashut. Kovetz Al Yad**, by Rav Yirmiyahu Benyowitz, dayan in Baltimore, is a handy Mishnah-Berurah-Biur Halacha style commentary with decades of experience to back him up.

- b. Unfortunately, the Chelkat Mechokek and Pri Chadash die in the middle of Hilchot Gittin, which is most unfortunate, as it leaves the Beit Shmuel to get away relatively unchallenged for the rest of the time.
  - c. Morasha LeHanchil went out of business before they could do a volume on **Seder HaGet**, so that is missing from their otherwise gorgeous set. Obviously, the Kav Naki, Aruch HaShulchan, etc. are important here. There's also a four volume collection of Seder HaGet sefarim called **Mishnat HaGet**.
  - d. Shemot Mekomot - **Ha'aretz le'Areha**, by Rav Mendel Senderovic of Milwaukee
  - e. Shemot Gittin Anashim veNashim - No end to the sefarim on this topic. Some wrote on the **Beit Shmuel's list** (which really imitated R' Simcha HaKohen's **Sefer Shemot**); others wrote independent works. See the [Rabbanut's online name database](#). Ashkenazim usually follow the **Get Mesudar** as a base with exception for some opinions of Rav Moshe and Rav Henkin. Sepharadim follow the **Ezrat Nashim**, **Shem Chadash**, and **Vayechi Yosef**. **Devar Halacha by Rav Elazar Nidam** is an excellent Halacha sefer with tables and tables of shemot and sources for both Edot.
  - f. Veteran Dayan of the Beit HaDin HaRabbani HaGadol, **Rav Yosef Goldberg** has a number of essential bottom line halacha with discussions in footnotes monographs - **Tivo Shel Get**, **Get Shelichut**, and **Elu Shekofin Lehotzi**, which also include crucial articles in Gittin. Rav Tzvi Gartner's **Kefiah BaGet** is also important, but I haven't had time to open it.
6. **HaNissuin Kehilchetam** and **Chalitzah KeHilcheta** seem to be the standard manuals for these procedures. Certainly **Rav Eliyahu Bar Shalom's Mishpat HaKetubah** is an essential blend of these two worlds of Even HaEzer and Choshen Mishpat as Shetarot and Edut meet Chuppah veKiddushin. I have one and use it all the time, but I've also noticed that he's *too* good. You don't actually need any background to learn the sefer. He spells out everything *too* clearly.

## Q&A Sefarim and Other Chazarah Aids

1. [Smicha.co.il](http://Smicha.co.il) has lots of summaries including one of all the essential Pitchei Teshuvahs, plus old Rabbanut tests with answers.
2. **Rav Yehudah Deri**, Rav HaRashi of Be'er Sheva, also has a number of volumes called **Mishnat Ezer**, Q&A on Even HaEzer.
3. A similar work called **Be'er Shelomo** on the first chunks of Choshen Mishpat was put out by **Rav Shlomo Be'eri**, a noted Dayan and speaker in Eretz Yisrael.

4. **Yashiv Yitzchak** on Even haEzer also has Q&A after each siman, but it's out of print and hard to find. Rav Deri's is, too, unless you go to his Beit Midrash in Be'er Sheva. Let me know if you're going!

## Published Judgements

To join the Google Group for the Batei Din HaRabbaniim's latest pesakim emailed to you (about four-six a week), send a blank email to **rabbinicaljudgments+subscribe@googlegroups.com** and hit the "join" button on the email you receive in return.

In general, you can also find all the already published pesakim here:

[https://www.gov.il/he/Departments/DynamicCollectors/verdict\\_the\\_rabbinical\\_courts?skip=0&limit=10](https://www.gov.il/he/Departments/DynamicCollectors/verdict_the_rabbinical_courts?skip=0&limit=10)

They're generally very long, as they write out the whole sugya many of the times, but I enjoy skimming them, especially the [recently published journal from the recent Kenes HaDayanim](#).

For a selection of previously published ones arranged in a sefer that came out a year or so ago, see Cheker Mishpat [volume 1](#) and [volume 2](#). Note how there are two sections - the concise version of the pesak in the beginning and the extended version of each pesak repeating every detail of each sugya in the end.

<https://www.psakim.org/> has stuff from other batei din with an amazing index of mekorot by daf of shas and seif of Shulchan Aruch.

## Shiurim

There aren't too many quality shiurim on the internet.

That's a loaded statement. Let me define the factors I include under quality

1. Content - don't just read me the Tur-Shulchan Aruch. Tell me something I couldn't have figured out on my own just by reading.
2. Audio - it should be easy to listen to, not muffled or the like. Gedolei Yisrael's Torah is tarnished when I have to struggle to understand what they're saying because the recorder was junky or too far away from the speaker.

That said, some shiurim that are of passable or great quality include:

1. [From The Dayan's Desk](#) series by Rav Yona Reiss on YUTorah
2. [Yadin Yadin](#) chaburot on YUTorah
3. Rav Willig's [series on Ishut/Siddur Kiddushin](#) on YUTorah
4. [Rav Asher Weiss](#)'s weekly chaburot from his kollel in Ramot on Kol HaLashon
5. [Rav David Lau's shiurim](#) on YouTube

6. Kol HaLashon's [Halacha Shiurim Module](#) - shiurim organized by chelek and siman of Shulchan Aruch.

There's much to complain about the quality of some these websites, but mah na'aseh.