



# CONGREGATION TORAS CHAIM

An intimate space...Grow at your pace.

September 10, 2016 ■ 6 Elul, 5776 ■ Shabbos Shoftim  
Candlelighting: 7:22P ■ Shabbos Ends 8:29P

**KIDDUSH/LUNCHEON** this Shabbos is sponsored by Moshe & Ariella Bush in honor of their marriage. May Moshe & Ariella be Zoche to Build a Bayis Ne'eman B'Yisroel. **SHALOSH SEUDOS** this Shabbos is sponsored by Ehoud & Shoshana Wilson, proud grandparents of a new baby girl to Itay & Galit. May the parents merit to have much nachas, happiness and good health. Please contact Rabbi Yaakov Rich at 972-835-6016 if you are interested in sponsoring kiddush or shalosh seudos in the future.

## ■ SHABBOS SCHEDULE

» **Shabbos of Inspiration at CTC:** All Jewish men & women are invited to a "Shabbos of Inspiration" at CTC with special guest speaker, Rabbi Reuven Wolf of Maayon Yisroel, Shabbos, September 9-10, 2016. All events are for men & women and free of charge. *An RSVP is required for the free Shabbos lunch.*

□ **Schedule of Events** (All events are for men & women and free of charge. RSVP is required for Shabbos lunch.)

### Friday Night

- Mincha/Kabbalos Shabbos/Maariv – 7:00 PM
- Speech During Services (15 mins) – 7:30 PM
- Oneg Shabbos (in shul) – 9:30 PM (after the meal)

### Shabbos Day

- Shacharis – 8:30 AM
- Speech During Services (15 mins) – Approximately 10:00 AM
- Kiddush – 11:00 AM
- Speech (45 mins) – 11:45 AM (childcare for children 4 and under will be provided)
- **Luncheon for all Speech Attendees (RSVP REQUIRED) – 12:30-2:00 PM**
- Speech (60 mins) – 6:10 PM (childcare for children 4 and under will be provided)
- Mincha followed by Shalosh Seudos (including speech) – 7:10 PM
- Maariv/Shabbos Ends – 8:29 PM

## ■ WEEKDAY SCHEDULE

- » Weekday Shacharis–6:40A
- » Mincha/Maariv followed by NQ Daf HaYomi (Kesuvos)–7:15P

## ■ REFUAH SHELAIMA

### MEN

- » Yaakov Shmuel ben Rochel (Uncle of Tricia Sutkin)
- » Yisroel Michoel ben Shulamis (Father of Chani Tkatch)
- » Zoosav ben Leebe (Father of Suzanne Luftig)
- » Yisroel ben Malka (Friend of Suzanne Luftig)
- » R' Moshe ben Chana Sara Leah (Rebbi of Ari Goldberg)
- » Yechiel Mordechai ben Devorah (Brother of Ken Jarmel)
- » Itai ben Shoshana (Son of Ehoud & Shoshana Wilson)
- » Mattisyahu Chaim ben Ettl (HaRav Mattisyahu Solomon)

### WOMEN

- » Leah Esther bas Yenta Leah (Lori Jarmel)
- » Yenta Leah bas Shayna (Mother of Lori Jarmel)

## ■ WHAT'S NU AT CTC

- » **Mazel Tov to Moshe & Ariella Bush** on their recent marriage. May we share many more happy occasions together and may they merit to build a Bayis Ne'eman B'Yisroel.
- » **Congregation Toras Chaim is proud to offer the best quality Arba Minim (Lulav & Esrog Sets) at the cheapest prices in town.** All qualities listed in the PDF Order Form are 100% kosher for use for all ages, including the Chinuch/Basic set. Every set is checked by a leading American poseik. Mail or drop off with payment to Rabbi Yaakov Rich, 7119 Bremerton Ct., Dallas, TX 75252. Questions? Call Rabbi Yaakov Rich at (972) 835-6016 or email yrich@toraschaimdallas.org. Please attach check to the PDF form. Unfortunately orders cannot be accepted without full payment. Please make checks payable to Congregation Toras Chaim.

## ■ A PASSION FOR JUSTICE-JUSTICE: RABBI LABEL LAM

You shall set up judges and law enforcement officials for yourself in all your cities that HASHEM, your G-d, is giving you, for your tribes, and they shall judge the people [with] righteous judgment. You shall not pervert justice; you shall not show favoritism, and you shall not take a bribe, for bribery blinds the eyes of the wise and perverts just words. Justice, justice shall you pursue, that you may live and possess the land HASHEM, your G-d, is giving you. (Devarim 16:18-20)

Justice, justice shall you pursue: Seek out a good court – Rashi  
There is a mandate here to have a vital court system at every level

of society and a way to discover and enforce doing the right thing. The double expression of justice-justice shall you pursue sounds a bit bizarre because the emphasis should be on the pursuing. "Pursue- pursue justice!" Using the verb makes the process a valued action that requires investigative energies. However, the verse puts the double accent on the "Justice-Justice shall you pursue!" The goal must be extreme in its surgical approach. Seek all you want but if JUSTICE is not precisely in the center of the center of the target then all the sound and fury generated by effort becomes by default an exercise in the vague art of distorting truth.

Justice is not an easy thing to discover! It requires a laser focus! Why is that so? Go ask a Rabbi who knows all of the Jewish Code of Law-Hallacha and download the answer from his computer like mind! Well, now we find out that knowing the Code of Jewish Law certainly helps in rendering decisions but it is not sufficient! Why not?

The answer may lie in the meaning of the word for Jewish Law-Hallacha. It does not mean law. It has to do with going - the way. Why is the verb for going the root of the term for law? Life is always going. Situations change from moment to moment. Life is constant flux. The Sefer Yetzira which is reputed to have been written by Avraham Avinu divides reality into three dimensions. OLAM-SHANA-NEFESH! World, Time, and Soul!

These three continuously form new and original combinations until one situation is never quite exactly like another. The Kohain Gadol may enter the Holy of Holies on Yom Kippur. He may not go there on any other day. No other unqualified person can go there even on Yom Kippur. As the time shifts or the person factors changes or the place moves so the Hallacha differs.

Like this, situations and conditions may be similar but they are never exactly the same. Should this person put on Tefillin tomorrow? That should be easy enough. Who wants to know? Is he of Bar Mitzvah age or not? Is tomorrow Shabbos? Does he have a severe stomach issue? Maybe he is really a she! Hmmm!

To appreciate the complexity of this ever fluid picture of our reality that Hallacha artfully guides and navigates us through on a moment by moment basis let us consider the following oddity as an example. In all the years I am going to Shul on Shabbos, and Yom Tov, and Rosh Chodesh, and Mondays and Thursdays when the Torah is read when three or more people are called up for an Aliya, this thing only happened once.

We were in Palm Springs at a Hotel for Rosh HaShana with 450 people and Dan ben Moshe was called up to the Torah. Two Israeli fellows strode to the Bima and stared at each other. Which one was the intended one?

There is a finite list of Jewish names and when combined with a father's name a new permutation is born. Now in the same synagogue on the same Shabbos it becomes an extremely rare occurrence unless you live in a town where everyone born during a certain period was named Yoel.

That judge, the one who is trusted as a decider of Hallacha has a profound challenge of matching points of comparison from once situation to another and applying precedent to cases that may seem similar but are not quite the same! Now that requires loads of knowledge, creativity, and mostly a passion for justice-justice!

## ■ OF ELUL, L'DOVID AND GOLEMS: RABBI YEHUDA SPITZ

There is near universal Ashkenazic custom during the month of Elul to recite the Chapter of Tehillim (27) "L'Dovid Hashem Ori" during davening, both every morning and evening, and all the way up to Shmini Atzeres, as preparation for the Yomim Noraim. This custom is based on the Midrash Shochar Tov that elucidates that various phrases of this chapter contain allusions to the holidays of the repentance period - Rosh Hashana, Yom Kippur, and Sukkos, as well as to the month of Elul itself.

The Malbim, in his commentary on Tehillim, offers an alternate explanation. In this chapter, Dovid HaMelech, the author of Tehillim, asked to cleave to Hashem and that all obstacles that block coming close to Him should be removed. The Malbim explains that when we strive to do so, Hashem will attach Himself to us with a higher level of personalized supervision. It is thus quite apropos to recite "L'Dovid" during the month of Elul, whose name hints to the acronym "Ani L'dodi V'dodi Li - I am to

my beloved and my beloved is to me”(Shir HaShirim Ch. 6, verse 3). Elul is a month which symbolizes our relationship to Hashem, and one in which proper repentance is more readily accepted.

**Where’s the source?** But, the obvious question is where and when did this minhag start? It is not mentioned in the Gemara, nor in the Rishonim, and not even referenced in the Shulchan Aruch or its main commentaries. It seems a bit odd that such a common custom would not stem from a primary source! Much research has been done and many works have been written to try to find the earliest source for this meaningful minhag.

Although many erroneously concluded that the original source of reciting “L’Dovid” throughout the entire month of Elul was the controversial ‘Chemdas Yamim’, first printed in 1731, however, history has since proven that an earlier source has been found. Many now attribute this minhag to the noted Kabbalist and famed author of “Amtachas Binyomin”, Rav Binyomin Beinisch Cohen, in his sefer “Shem Tov Kattan”, first printed in 1706. There he writes that one should be scrupulous with reciting “L’Dovid” daily from Rosh Chodesh Elul until after Simchas Torah, averring that this has the potential to avert and even nullify Heavenly decrees.

**Who’s Who?** Yet, there is possibly an earlier source. In the sefer “Nezer Hakodesh - Minhagei Beis Ropschitz” a story is told about the Baal Shem Tov, where he mentioned a Tzaddik, known as Rav Eliyahu Baal Shem, who had saved the Jews of a certain town from eviction by successfully promising the childless non-Jewish mayor a son within a year. The Baal Shem Tov mentioned that this Tzaddik who lived in the late 1600s, was the one who established the custom of reciting “L’Dovid” during Elul. However, it is unclear whom exactly he was referring to.

Although much detailed information has been obscured with the passage of time, still history has shown that there were two Tzaddikim known by this name. The better known of the two was Rav Eliyahu Baal Shem of Chelm, a talmid of the great Maharshal, Rav Shlomo Luria, and an ancestor of the luminaries commonly known as the Chacham Tzvi (Rav Tzvi Ashkenazi) and his son, the Ya’avetz (Rav Yaakov Emden).

**A Golem as a Tzenter?** Here is where it gets interesting. Rav Eliyahu Baal Shem of Chelm was best known for being of such stature that he created a Golem. In fact, both of his aforementioned illustrious descendents have written responsa on the topic of the Golem that their grandfather created. The Chid”a, in his encyclopedia of Gedolim throughout Jewish history, ‘Shem Gedolim’ also attested to its existence.

But before our readers decry the supernatural turn this article has taken, they should realize that Golems actually do have a place in the halachic realm as well. The issue that these Gedolim were debating was whether a Golem can count for a minyan! Although the Chacham Tzvi (Shu”t Chacham Tzvi 93) at first remained undecided, his son, Rav Yaakov Emden (Shu”t Sheilas Ya’avetz vol. 2, 82) ruled unequivocally that a Golem cannot count for a minyan! Apparently not just a theoretical topic, it is even cited and debated by such contemporary authorities as the Mishna Berura (55, 4) and the Chazon Ish (Yoreh Deah 116, 1)!

The Mishna Berura does not actually rule, but rather addresses the issue and concludes that it is a safeik; which is actually the main thrust of the Chacham Tzvi’s teshuva – that he personally was undecided as to the proper halacha. Although the majority consensus is that a Golem would not count for a minyan, there were several other authorities who defended the Chacham Tzvi’s logically allowing a Golem able to count for a minyan.

The Chazon Ish, conversely, concluded akin to the Ya’avetz’s position, that a Golem would undeniably not be able to count for a minyan, as it not only would be excluded from the rights and privileges of a Jew, but even from those of a human being. One of Rav Yaakov Emden’s main proofs to this is that we find that in order to be considered having a neshama, a creation needs to have the potential for speech [see, for example the Ramban’s commentary to Parshas Bereishis (Ch. 2, verse 7; based on Targum Onkelus ad loc.)], an ability a Golem sorely lacks.

What is lesser known (and actually seemingly unknown to many

later authorities, including the Mishna Berura) is that posthumously, another son of the Chacham Tzvi, Rav Meshulem Ashkenazi, in his responsa, appended and printed a later teshuva from his father (Shu”t Divrei HaRav Meshulem vol. 1, 10 s.v. shayach); in it the Chacham Tzvi actually retracted his original position and ruled strictly as well. Either way, and regardless of what one might want to assume about his fellow mispallelim, the vast majority of poskim rule conclusively that a Golem cannot be counted for a minyan.

**The Second Rav Eliyahu** Back to figuring out who originated the recital of “L’Dovid” in Elul. The other Rav Eliyahu Baal Shem was Rav Eliyahu Luentz, known as a master Kabbalist in the 17th century. He authored a seminal volume on the Zohar titled “Aderes Eliyahu”, and was a disciple of my ancestor and namesake, the renowned Maharal M’Prague, (who, as an interesting side point, and incredible works aside, is regrettably nowadays best ‘known’ for having also created a Golem).

In conclusion, although we are left uncertain as to whom the originator of this powerful minhag was, we can rest assured that it has a reliable source. We can thus appreciate the significance of saying this chapter of Tehillim throughout Elul, as it underscores the major goals of the season of repentance.

Postscript: There are a few communities, including many of Germanic origin, and the Chassidic communities of Sanz, Bobov, and Kamarna, however, who do not recite “L’Dovid” during Elul. See Shu”t Divrei Moshe (34), and sefer Minhagei Kamarna, (printed in the back of Shulchan HaTahor; Elul, 381), as well as Likutei Eliezer (pg. 5, footnotes 30 - 31). The Kamarna Rebbe of Yerushalayim, recently told this author that although in his shul “L’Dovid” is recited, as most of his congregation are not his Chassidim and nearly everyone’s custom is to recite it, nevertheless, he personally does not. It is also known that the Vilna Gaon did not approve of this addition to davening (Maaseh Rav 53) as it possibly constitutes ‘tircha d’tzibura’. The general Sefardi minhag as well is not to recite “L’Dovid” specially during Elul, but many nonetheless recite it all year long as an addition after Shacharis; see Rav Mordechai Eliyahu’s Darchei Halacha glosses to the Kitzur Shulchan Aruch (128, footnote 4).

#### ■ PARSHA Q&A: SHOFTIM

1. What is the role of shoftim? What is the role of shotrim? 16:18 - Shoftim are judges who pronounce judgment. Shotrim are officers who enforce it.
2. What qualifications should one look for when appointing a judge? 16:18 - That he is expert in the law and that he is righteous.
3. May a judge accept a bribe if only for the purpose of judging fairly? 16:19 - No, because it will sway his judgment.
4. What is the source for the concept “seek out a good beit din”? 16:20 - “Tzedek tzedek tirdof...”
5. Although the avot built matzevot, the Torah later forbade doing so. Why? 16:22 - Because the Canaanites used them for idolatry.
6. “You will come to...the judge who will be in those days.” It’s impossible to visit a judge living at a different time, so why must the Torah add these apparently extra words? 17:9 - To teach that although a judge may not be as eminent as judges of previous generations, we must obey him nevertheless.
7. What does Hashem promise a king who doesn’t amass much gold, doesn’t raise many horses and doesn’t marry many wives? 17:18 - That his kingdom will endure.
8. How many Torah scrolls must the king have? 17:18 - Two. One stays in his treasury and one he keeps with him.
9. How was King Shaul punished for disobeying a minor command of the Prophet Shmuel? 17:20 - He lost his kingship.
10. Certain kosher animals are not included in the law of “chazeh, shok and keiva.” Which ones? 18:3 - Chayot (non-domestic-type animals).

# Good Shabbos

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#### ■ CLASSES

- » Before Shacharis Gemara Yevamos for men (M-Fr, 6-6:40A)
- » NQ Daf HaYomi Kesuvos for men (Sunday-Thursday following Maariv)
- » Pirkei Avos for men & women (Shabbos 90 mins before mincha)
- » Chumash for men & women (Shabbos 45 mins before mincha)
- » Supercharge Your Sundays for men (Sunday after Shacharis for 45 mins., with R’ Noach Klug)
- » Marriage Chaburah for women (Tuesday 7:15-8:00P)
- » In-Depth Hilchos Shabbos for women (Time is Changing)