

Parashat Shoftim 5779, 2019:

*Justice, Justice You Shall Pursue*

Rabbi David Etengoff

Dedicated to the sacred memories of my mother, Miriam Tovah bat Aharon Hakohen, father-in-law, Levi ben Yitzhak, sister-in-law, Ruchama Rivka Sondra bat Yecheiel, sister, Shulamit bat Menachem, Chana bat Shmuel, Yehonatan Binyamin ben Mordechai Meir Halevi, Shoshana Elka bat Avraham, Tikvah bat Rivka Perel, Peretz ben Chaim, the *Kedoshim* of Har Nof and Pittsburgh, and the *refuah shlaimah* of Mordechai HaLevi ben Miriam Tovah, Moshe ben Itta Golda and the safety of our brothers and sisters in Israel and around the world.

Our *parasha* begins with the celebrated words: “*Shoftim v’shotrim teeten lecha b’chol sh’arecha...*” (“You shall set up judges and law enforcement officials for yourself in all your cities,” *Sefer Devarim* 16:18, this and all Bible and Rashi translations, *The Judaica Press Complete Tanach*). The establishment of a properly functioning judicial system is a constitutive element of all civilized societies. Little wonder, then, that this *mitzvah* is equally incumbent upon the Jewish nation and the nations of the world (as one of the *sheva mitzvot b’nai Noach*, *Talmud Bavli, Sanhedrin* 56a)

*Shoftim* — judges — are the backbone of every legal system. Yitro, Moshe’s father-in-law, recognized this essential concept early on in the *parasha* that bears his name:

Now listen to me [Yitro]. I will advise you [Moshe], and may the L-rd be with you...But you shall choose out of the entire nation men of substance (*anshei chayil*), G-d fearers (*virai Elokim*), men of truth (*anshei emet*), who hate monetary gain (*sonai batza*), and you shall appoint over them [Israel] leaders over thousands, leaders over hundreds, leaders over fifties, and leaders over tens. And they shall judge the people at all times, and it shall be that any major matter they shall bring to you, and they themselves shall judge every minor matter, thereby making it easier for you, and they shall bear [the burden] with you. (*Sefer Shemot* 18:19,21-22)

In the course of Yitro’s description of the essential characteristics of every judge, we

encounter four personality traits: *anshei chayil*, *yirai Elokim*, *anshei emet* and *sonai batza*.

Basing himself upon the *Mechilta* and other Rabbinic sources, Rashi (1040-1105), in his *Commentary on the Torah*, explains three of these terms, as the fourth, “*yirai Elokim*,” may be understood in its normative sense:

**men of substance:** *Anshei chayil*, wealthy men, who do not have to flatter or show favoritism.

**men of truth:** *Anshei emet*, these are people who keep their promises, upon whose words one may rely, and thereby, their commands will be obeyed.

**who hate monetary gain:** *Sonai batza*, who hate [to have] their own property in litigation, like [the Talmudic adage] that we say: Any judge from whom money is exacted through litigation is not [fit to be] a judge.

In sum, Yitro suggests that judges must be honest and independent individuals upon whom one may rely to “judge the people at all times” in a straightforward manner, representing the highest standards of *yirai Elokim*. These ideas are further elaborated upon in the first chapter of *Sefer Devarim* in Moshe’s words to his beloved nation:

Prepare for yourselves wise (*chachamim*) and understanding men (*nevonim*), known among your tribes, and I will make them heads over you. And I commanded your judges at that time, saying, “Hear [disputes] between your brothers and judge justly between a man and his brother, and between his litigant. You shall not favor persons in judgment; [rather] you shall hear the small just as the great; you shall not fear any man, for the judgment is upon the L-rd, and the case that is too difficult for you, bring to me, and I will hear it.” (13,16)

Moshe’s additions to Yitro’s thoughts are exceptionally important. We are now informed that over and above the attributes cited by Yitro, authentic Jewish judges must be highly accomplished intellectually, that is, *chachamim* and *nevonim*. Then, too, they are obligated to “judge justly between a man and his brother, and between his litigant,” in a completely impartial manner. As the Torah states: “You shall not favor persons in judgment; [rather] you shall hear the small just as the great; you shall not fear any man, for the judgment is

upon the L-rd...”

Our *parasha* continues the Torah’s analysis of judges stressing the crucial element of rendering a righteous judgment:

You shall set up judges and law enforcement officials for yourself in all your cities that the L-rd, 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 the L-rd, your G-d, is giving you.

“Justice, justice shall you pursue,” is one of the best-known phrases in the Torah. Indeed, for many, Judaism’s concept of *tzedek* (justice) is one of its greatest contributions to the world at large. Associate Supreme Court Justice, Ruth Bader Ginsburg, gave voice to this perception in her speech on Holocaust Memorial Day, April 22, 2004:

My heritage as a Jew and my occupation as a judge fit together symmetrically. The demand for justice runs through the entirety of Jewish history and Jewish tradition. I take pride in and draw strength from my heritage, as signs in my chambers attest: a large silver mezuzah on my door post, ... on three walls, in artists’ renditions of Hebrew letters, the command from Deuteronomy: “*Tzedek, tzedek, tirdof*” — “Justice, justice shall you pursue.” Those words are ever-present reminders of what judges must do that they “may thrive.” (<http://www.ushmm.org/remember/days-of-remembrance/past-days-of-remembrance/2004-days-of-remembrance/ruth-bader-ginsburg>)

With Hashem’s unending mercy, may the time come soon and in our days, when our Sages’ words in the *Amidah* (silent prayer) will be fulfilled and serve as a clarion call to all mankind:

Restore our judges as in former times, and our counsellors as of yore; remove from us sorrow and sighing, and reign over us, You alone, O L-rd, with kindness and compassion, with righteousness and justice. Blessed are You L-rd, King who loves righteousness and justice. ([https://www.chabad.org/library/article\\_cdo/aid/867674/jewish/Translation.htm](https://www.chabad.org/library/article_cdo/aid/867674/jewish/Translation.htm))

*V’chane yih ratzon.*

Shabbat Shalom

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They may also be found on <http://www.yutorah.org> using the search criteria Etengoff and the *parasha*'s name.

The email list, *b'chasdei Hashem*, has expanded to hundreds of people. I am always happy to add more members to the list. If you have family or friends you would like to have added, please do not hesitate to contact me via email <mailto:rdbe718@gmail.com>.

\*\*\* My audio *shiurim* for Women on the topics of *Tefilah* and *Tanach* may be found at:  
[\*\*http://tinyurl.com/8hsdpvd\*\*](http://tinyurl.com/8hsdpvd)

\*\*\* I have posted 164 of **Rabbi Soloveitchik's English language audio** *shiurim* (MP3 format) spanning the years 1958-1984. Please click on the highlighted link.