

ANT-I LESSON

by Rabbi Eliyahu Hoffmann

Parshas Shoftim begins with the directive to establish just courts in every Jewish city. The function of the courts was both to adjudicate in monetary disputes, and to actively ensure that Torah standards were upheld by the Jewish community. In addition to judges ("shoftim"), the Torah requires the appointment of officers of the court ("shotrim"), who were responsible to enforce the judges' decisions, and to circulate in the streets and markets, enforcing Torah standards of honesty and integrity.

There is a fascinating Midrash which addresses the designation of courts and a judicial system:

It is written (Mishlei/Proverbs 6:6), "Go to the ant, you lazy one! See her ways and grow wise. Though there is neither officer nor ruler over her, she prepares her food in the summer, and stores her provisions in the harvest."

What is meant by, "See her ways and grow wise?" The Rabbis taught: Observe her etiquette - see how she avoids stolen property! Rabbi Shimon ben Chalafta said: Once, an ant dropped a wheat-kernel. All the other ants came and smelled it, but none of them took it [they were able to detect the scent of the original ant]. Eventually, the ant to which the kernel belonged came and took it. See her wisdom... for she has neither officer nor ruler! You, over whom I [Hashem] have appointed judges and officers - all the more so [should you be lawful and upright!] [Devarim Rabbah 5:2]

Seemingly, the Midrash utilizes the inborn honesty of the ant, and her natural respect for other ants' property, to teach us a powerful lesson about honesty and integrity. If the ant, with no formal justice system, is capable of such outstanding behaviour - how much more so should we, given the advantage of a formal legal system, be respectful of the property of others.

Yet if we look a little closer, and examine the alleged "integrity" of the ant, a surprise awaits us. True, the ant may be respectful of the property of her fellow ants. Yet everything she has - the very kernel she carries - has been stolen from man! The ant sustains herself almost entirely on the stolen property of others! Is it appropriate for such a creature to serve as the prototype of integrity and honesty?

Let us reconsider for a moment the wording of the above Midrash. Specifically, let us note that the Sages did not applaud the "honesty" nor the "ethics" of the ant, but rather her "etiquette" ("derech eretz") - "Re'eh derech eretz she-ba! Observe her good manners!"

Perhaps the message of the Midrash is precisely the opposite of what it first appears to be. The ant is not a creature of honesty and scruples! Far from it. The flocks of Avraham Avinu were not allowed to so much as graze on the property of others. Yet leave your picnic uncovered for a short while, and when you come back you will likely find it being devoured by the local ant-colony. How quick would you be to praise the ant's ethics then?

So what prevents her from taking from her fellow ants? Ah, but she has good manners. Such manners! Such etiquette! "Observe her etiquette - and grow wise!" Observe how the ant, without the guidance of the Torah, without a formal system of courts and justice, can be so proper - so respectful - and yet derive her entire parnassah (sustenance) from stolen property. Grow wise - by realizing that left to one's own scruples, without the counsel of the Torah and her Sages, even the most honourable and well-mannered being can drift far away from truth and integrity. [Nesivos haMishpat and Chiddushei haRim quoted in Tallelei Oros]

Living, as we do, surrounded by secular values and conventions, it is so easy to overlook the Torah perspective and view things in a "contemporary light." After all, even the "virtuous" ant pinches a kernel or two - so what could be so terrible about taking a pencil or an envelope without permission, or inflating an insurance claim here and there? One could hardly label someone a thief for such paltry "crimes" - things which even the most respectable and principled people do. It's but an ant's ransom!

But what is the basis for such logic? Since when do Torah values succumb to that which may be apropos in society? Man's perceptions change over time; what might once have been deemed boorish is today the norm. The Torah is eternal - as are its definition of what's ethical and what's not. By studying and adhering to the Torah's definition of lawfulness - by appointing courts and judges, dayanim and batei-din - we connect with its eternal light, gaining an understanding of ethics and morals otherwise impossible to reach.

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