

JUDGE OVER YOURSELF

by Rabbi Yisroel Ciner

This week we read the parsha of Shoftim [Judges]. *"Shoftim v'shotrim tetane l'cha [Judges and officers you shall appoint for yourselves] in all the gates that Hashem has given you for your tribes, and they shall judge the nation with righteous judgment. [16:18]"*

The Kli Yakar points out that the passuk [verse] would have been more consistent had it said: "Judges... you shall appoint for yourselves... that Hashem has given you... and they shall judge you," as opposed to "and they shall judge the nation."

He explains that the passuk is addressing the powerful people of the community who are often involved in appointing the judges. Be sure to appoint shoftim [judges] who will not show preferential treatment to anybody--even to those whom they owe their positions to.

That is the meaning of "Shoftim v'shotrim tetane l'cha [Judges and officers you shall appoint for yourselves]"--make sure that they will be judges over you, the appointees. If you have done that, you can then be assured that "they shall judge the nation with righteous judgment"--that the general populace will receive just rulings.

The Talmud [Moed Katan 17A] offers some parameters as to the type of person one should choose to be the judge. Rabi Yochanan taught: If the Rav is like an angel of Hashem, then seek Torah from him.

In what way is this Rav/Judge meant to be similar to an angel?

The Darchei Mussar explains that angels are described as not turning to either side as they move. This means that they do the will of the Creator without taking into account any 'outside' opinions. They go straight toward the pure fulfillment of Hashem's will.

That is an essential quality for judges. When a situation is brought before them, they must ignore all outside factors and decide what is the clear, pure will of Hashem as presented to mankind through the Torah. No other factors can be taken into consideration.

The story is told of a young man who was appointed to be the Rav of Hamburg. On the very first day of his arrival in town, he was approached by a woman who had a claim against one of the most prominent members of the community. The Rav, weary from his trip, asked if he could first get settled in and deal with the matter the next day. The woman however would not be put off, giving a number of reasons why it had to be done that day.

The young Rav called his shamesh [attendant], instructing him to summon that wealthy individual to a Din Torah [Court based on Torah Law]. The shamesh seemed to be rooted to his place. "How can I summon this person to come before the Rav? The whole town trembles before him!" he thought to himself. He began to voice his concerns but the Rav refused to be intimidated. "Go and summon him immediately!" he told the shamesh.

The shamesh got as far as this man's door but didn't have the nerve to knock. He began to pace outside in the yard, hoping that the man would notice him and ask what he had come for. After a short while the man left his house and saw the shamesh outside. When the shamesh finally stuttered out an explanation, he curtly told him to tell the Rav that he'll come at his convenience.

The shamesh relayed the response to the Rav who sent him back with the following message: "The woman is not willing to wait and he therefore must come today." When the man heard this message he became furious. "Tell the Rav that he clearly does not yet know who is who over here. I run this community while he is only a guest here. If I said I'll come when I can, then I'll come when I can!"

When the Rav heard this message he rose like a lion. "You tell him that if I say that he must come today then he must come today! Otherwise I will have him excommunicated!" The shamesh begged him to send someone else with this last message but the Rav refused.

With no other option, the shamesh went this third time to the man. He literally delivered the message and then ran from the house.

A short while later this man came before the Rav with a big, warm smile. "Mazel tov! You have truly earned your position in this town!"

He explained that the community leaders were concerned that such a young Rav would not be able to stand up to the pressures of leading a community filled with such prominent and powerful people. This woman was sent with the pretense of a Din Torah as a way of determining that the Rav could stand up to the pressures. By focusing only on the will of Hashem, the Rav showed himself worthy and capable of this position.

Rav Moshe Feinstein offers another explanation for this passuk. "Shoftim v'shotrim tetane l'cha"--every person must be a judge over himself. To be sure that we are doing the right things. To avoid rationalizing and making excuses. To ignore the pressures of what those around us might be saying and to do what we know is right.

Good Shabbos,
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