

## Torah Thoughts Shoftim

5777:

Sometimes the Torah's words are clear and unambiguous: "Do not murder; do not steal; do not worship anything but God. But more often, the Torah's commands invite questioning because its terms are not clearly defined. The famous words "Tzedek, tzedek tirdof," "Justice, justice you shall pursue," found at the beginning of parshat Shoftim this week, call out to us across the ages, inviting just such questioning. The repetition of the word 'Justice' in this verse suggests an emphatic command, one that should be followed with special vigor. But what is justice, and how do we pursue it? When we study the original context of this mitzvah, we see that the verses that surround it address judges, providing examples of proper conduct for the adjudication of law: not favoring one party over another and avoiding bribes. The reward for judging fairly is also mentioned: You will live and possess the land which God has promised you.

But the application of this verse need not be limited to the establishment of an official system of justice. In fact, by promising life and the inheriting of the holy land, the Torah cannot be addressing only judges, but rather the entire people who will soon enter that land. But by providing the example of how a judge should behave, the Torah also teaches us some of the elements of pursuing justice.

One of those elements is fairness. When making a ruling on a case, a judge is not to favor either the wealthy, out of deference to their higher standing, or the poor, out of pity. The case must be decided on its merits, on the facts that are presented. In daily life, this is one of most difficult commands to fulfill, because each of us holds a bias toward those we like or are close to, and a bias against those we dislike or who are strangers to us. In my own work, I constantly

struggle to see the value in everyone's ideas, regardless of who they are, and am constantly on guard against ideas that are flawed, even when they come from someone I like and trust. In treating everyone with fairness, then, we also guard our own integrity. Justice means seeing the good or not-so-good in everyone, regardless of how we feel about them, and making decisions based on merit instead of on loyalty.

The second boundary for pursuing justice is to refuse bribes. This seems obvious, especially in the case of judges. How could someone rule justly if one of the parties in the case is paying them? But bribes can take many forms, and there are many ways to suggest that a particular outcome would be beneficial to the person making a decision, either now or in the future. The suggestion that the right decision is obvious, and that we need to move on, a private conversation between an advocate and the decision maker, or an invitation to a meal or other pleasantries seemingly unconnected to the decision can subtly influence us in ways that we are not always conscious of. When we pursue the right outcome, we do so regardless of whether we will personally benefit from the outcome, or even suffer because of it. Justice means separating the outcome for ourselves from the decisions we make on behalf of others.

If each of us makes decisions impartially, working on behalf of the best ideas rather than our relationship with those involved, and if we can do so without reference to how the decision will come back to haunt or reward us, we are pursuing tzedek. Being a judge is difficult, and applying the standards of the pursuit of justice are not easy for anyone. Perhaps the Torah phrases this command in terms of "pursuing" because these are ideals which we must constantly strive for, keeping them ever present as guiding principles. That suggests that tzedek, justice, is a value that requires us to review our own motives as often as we make decisions.

From the East Brunswick Jewish Center, Shabbat Shalom.

5778:

Someone once asked me if I ever get upset doing my work and, if so, how I handle that. I told them that, like everyone else, I occasionally do have feelings of frustration, disappointment and even anger. It would be surprising if that were not the case. But, I added, the key to dealing with those feelings in a constructive way is to stop and think ‘What is the right thing to do right now?’ I try not to allow myself to let negative feelings come out when I am acting as rabbi, because they would undercut my effectiveness and even damage relationships. But by asking myself that question, I am able to jump immediately to resolving the issue at hand, regardless of how I am feeling. I think of what is the just solution to the problem: If an apology is called for, I apologize; if a misunderstanding has occurred, I clear it up. If the other person has done or said something wrong, I try to tell them so, without anger and as diplomatically as possible. By letting justice guide my actions, I am able to focus on results rather than how I feel about achieving that result.

In parshat Shoftim this week, a famous passage occurs that aptly phrases Judaism’s emphasis on doing the right thing: “Justice, justice shall you pursue...” (Deut. 16:20). The Torah’s insistence on *tzedek* (justice) was at odds with other ancient cultures, whose laws were often skewed to favor the wealthy and upper classes. It is also at odds with how we ourselves often behave, putting personal or political agendas ahead of pursuing what is just.

The commentators teach that the repetition of the word *tzedek* in the verse teaches us an additional lesson: It is not enough to do what is right; we must actively pursue justice, rather than wait for opportunities to create it, and we must be just in our pursuit of it, not using unsavory means to reach a just end. Unlike the cultures that surrounded our ancestors, and unlike our own behavior at times, the Torah teaches that it is justice which must guide our words and actions, not who will benefit. Justice is both the means and the end of our creating the world the God desires.