



ALIYA-BY-ALIYA SEDRA SUMMARY

RABBI REUVEN TRADBURKS
RCA ISRAEL REGION

PARSHAT SHOFTIM

Parshat Shoftim has 41 mitzvot and is the 2nd of 3 parshiot that have a total of 170 mitzvot.

The 3 parshiot of Re'eh, Shoftim and Ki Teitzei are nation building; they express the vision of the society we are to build in the Land of Israel. It is not narrative; it is legislation.

And what type of society do we want to build?

Well, man was created in the image of G-d. The society we are to build is an expression of the image of G-d. What He is, we too are. Kind of. The society we build is a “G-d’s Image” society. Albeit with a dash of humility.

He is: One, Merciful, Judge, King, Revealer, All Powerful, All Knowing.

We began last week in Re’eh with His being One. First thing is monotheism and uprooting of idols. He is One, reflected here on earth. He is Merciful, Kind, Generous. We in our society will take care of the needy in canceling loans in Shemita and in the generosity inherent in

Maaser Sheni. Ethical monotheism is the first pillar in the “G-d’s Image” society.

Our parsha, Shoftim, is the building of national institutions: the judiciary, the executive and the legislature, including courts, the king, prophets and proper conduct of war. And their checks and balances.

He is Judge, King, Revealer to man and All Powerful. Our institutions of courts, monarchy, prophet express on earth His attributes; we, created in His Image, act on earth in the way He does.



1ST ALIYA (DEVARIM 16:18-17:13)

Courts: Establish courts and be vigilant in fairness; do not show favoritism or accept bribes for they blur good judgment. Do not plant a tree next to the altar, nor establish a stone monument, nor offer blemished sacrifices. If one is found to worship idols, examine the case carefully in court: guilt must be established through the testimony of witnesses. If established to be true, put that person to death and remove evil from your midst. Should a ruling be elusive, refer it to the higher court; its decision is binding. Do not deviate from its ruling.

Judiciary: The Torah has 2 parshiot that deal with law: Mishpatim and Shoftim. Mishpatim is substantive law, the substance of the law in all sorts of areas of conflict. Shoftim is procedural law; how justice is to be meted out.

Our pursuit of justice on earth is an expression of our image of G-d, the true Judge. We do what He does. However, there is an inherent danger in acting as He. We need to be careful to remember – we are but in His

May the Torah learning
from this issue of Torah Tidbits
לעילוי נשמת

our beloved husband, father,
grandfather and great-grandfather

RABBI I. FRED HOLLANDER ז”ל
on his yahrzeit
Rosh Chodesh Elul

Image. We are not the true Judge. He is.

Perhaps this is the motivation of the checks and balances we will see in each of these national institutions; reins on our overstep. The Torah emphasizes the rules of testimony and procedure. If you require two eye witnesses to convict, convictions are shrunk. This could be to impress upon man that although courts are necessary for society, judging our fellow man is not really our business. True Justice belongs but to G-d. Hence, your ability to convict is shrunken, lest you see yourself as the True Judge.



2ND ALIYA (17:14-20)

King: When settled in the Land, appoint a Jewish king. He may not accumulate excessive horses, nor too many wives, nor silver and gold. He shall have his own Torah with him at all times in order to avoid self-aggrandizement and to ensure allegiance to the mitzvot.

Executive Branch: In the same breath that we are told to appoint a king, the Torah saddles him with restrictions. Not too many horses, meaning military power. Not too many wives; sexual license is often the consequence of excess power. And limit possessions, another license of power. The tempering of the power of the king is to temper both his abuse of power and his inflated self-image.

Unbridled power of the king could easily leave little room for the King of Kings. You, man, are a little king. He is the real King. While the crown may sit on your head, know that above that head is the real King of Kings.



3RD ALIYA (18:1-5)

Kohen, Levi: The tribe of Levi, including kohanim, shall not have a portion in the Land of Israel for the holy service is their lot. The kohen, who serves G-d, shall be given portions of animals, produce

and shearing.

Alongside Judges and Kings, the judiciary and the executive are the religious leaders, Kohanim and Leviim. These religious leaders are supported by a type of tax on the people. But with limits. The power of the Judges to convict is limited. The power of the Kings is limited to avoid abuse. Religious leaders are also prone to abuse of power, using religious leverage to accumulate wealth. Hence, no land. Only these portions. It is not what is given to support the Kohanim and Leviim; it is what is not. Every society supports its religious leaders. But make sure the power that comes with high religious office is not abused. You get support; but only this, not more.

Religious leaders must serve G-d and the people; they are supported albeit with modesty.



4TH ALIYA (18:6-12)

The Levi is permitted to serve in the Temple whenever he chooses.

Sorcery: Avoid the practices of the people in the Land, such as child sacrifice, divination, omens, sorcery, communicating with the dead. Your allegiance is to G-d.

One of the attributes of the Divine is omniscience; He Knows all. Man has knowledge; but man's knowledge falls far short of the Divine. We, oh how we wish we could know more, see beyond our limitations, have access to the secrets of the world. It is tempting to run, in the pursuit of accessing the secrets of the world to sorcery and divination.

That's not for you. Stay away. The Torah requires powerful restraint. That is not our source of knowledge. As the next aliya outlines, our source of truth is G-d through the prophet.



5TH ALIYA (18:13-19:13)

Prophet: While the people in

the Land seek wisdom through magical techniques, you seek yours through G-d Himself. Because you said at Sinai that you did not want to hear His voice directly you have the Prophet to convey G-d's directives. Heed the words of the prophet, though not of the false prophet. The true prophet's predictions come true: not so for the false prophet. Prepare 3 cities on the east bank of the Jordan and 3 cities in the Land of Israel as refuge for the accidental murderer. He is not subject to the death penalty. Innocent blood ought not be spilled in the Land.

Our parsha has outlined the judiciary, the judges and the executive, the king. The legislature, the branch that creates the laws, is trickier; the source of our laws is G-d, related through the prophet. The prophet is a mere conduit. Unlike the judge and king who act in this world in the image of the true Judge and King, the prophet acts as the messenger to man to communicate the Divine legislation.



6TH ALIYA (19:14-20:9)

Do not encroach over the borders of your property. **Testimony:** One witness is insufficient in court. Conniving witnesses who intend harm through their testimony shall themselves receive the harm they intended. **War:** Do not be afraid of the enemy in war, for G-d champions your battles. A specially appointed kohen shall encourage the soldiers. In addition, he shall exempt some of the soldiers: those who have a new home, a

new vineyard, a betrothed wife, or are afraid. These shall not demoralize the other soldiers.

The protection of his people through the conduct of war is one of the primary functions of the executive, the King. As we say in Az Yashir, the song at the sea, "G-d is the conductor of battle". As He is a warrior, so too we, in our "G-d's Image" society need to fight wars. Some laws of war are outlined.

And in addressing the inherent danger of military men to assume military success is due to their great prowess, the kohen is instructed to be present in war. The kohen's presence reminds the soldiers that they are G-d's army. He fights their battles, while they fight down here on earth.



7TH ALIYA (20:10-21:9)

In approaching war, try peace first. But if refused, fight the war to the end, lest those who survive lead you astray. Do not destroy fruit trees while laying siege to a city. When a body is found dead in the field, the nearest city shall perform a ceremony declaring them not responsible for this death. The Land need be cleansed of innocent blood.

After the laws of war, the Torah circles back to one lone body found dead in the field. And the need to cleanse both the leadership and the land of this innocent blood.

This too is a kind of check and balance on the military. Oh, don't think we have a low regard for life. Loss of innocent life defiles the Land – and us. Embark on war with sobriety. While not pacifists who desist from all war, we will conduct a sober war. After all, we are creating a human society reflecting the image of G-d. But all mankind is in His image. Death in battle is sometimes necessary, but regrettable nonetheless. For all are created in His Image. ■

Dedicated L'iluy Nishmat

מרים בת ר' מרדכי

ברוך בענדיט ע"ה

MIRIAM RICH a"h

whose 18th Yahrtzeit is on אלול י'