

פֶּרֶשֶׁת  
שׁוֹפְטִים  
*Parashat Shoftim*

*Devarim / Deuteronomy 16:18-21:9, Isaiah 51:12-52:12,  
Matthew 26:47-27:10*

**Justice (מִשְׁפָּט-צֶדֶק)**  
**A Fundamental Principle in the Torah**

יח וְשׁוֹפְטִים וְשֹׁטְרִים תִּתֶּן-לָהֶם בְּכָל-  
עָרֶיךָ אֲשֶׁר יְהוָה אֱלֹהֶיךָ נֹתֵן לָךְ לְשִׁבְטֶיךָ וְשִׁפְטוּ אֶת-הָעָם מִשְׁפָּט-צֶדֶק:  
*16:18 'You shall appoint for yourself judges and officers in all your towns which the Lord your God is giving you, according to your tribes, and they shall judge the people with righteous judgment. (NASB)* The Lord commands us to administer justice (מִשְׁפָּט-צֶדֶק) in the land. In the context of conflict, the terms justice and fairness are often used interchangeably. Taken in its broader sense, justice is action in accordance with the requirements of the Torah. Here we find the Lord commanding His people to create a system common to all people in Eretz Yisrael. (*Note, this is not restricted to the Land of Israel only but to all places that we set our feet because it is who we are as God's people.*) From the Torah perspective, the justice (מִשְׁפָּט-צֶדֶק) the Lord commands for each individual is something greater (higher) than a society's legal system. Within the context of this command of justice, Moshe tells us the following, *17:1 'You shall not sacrifice to the Lord your God an ox or a sheep which has a blemish or any defect, for that is a detestable thing to the Lord your God. (NASB)* The Lord commanded us not to

bring a defective sacrifice. This is related to justice (מִשְׁפָּט-צְדָקָה) in our lives towards men and towards the Lord God of Israel. So, how do we apply this to our lives today? Rashi on *Devarim / Deuteronomy 17:2* states the offering of a defective sacrifice may be achieved through and evil utterance (*something which comes from the heart*). Ibn Ezra states one is not to offer to God your god. These are interesting comments when taken in context to the command for justice (מִשְׁפָּט-צְדָקָה), and our service of worship to our God. The Lord requires justice and righteousness from us. These Torah commands have great application for us today. Note the rabbinic parallels to what we are reading here on idolatry where *“idolatry→immorality→slander→sin→the idols of our heart and the defective sacrifice.”* Taking these things from the context of the Scriptures and the rabbinic literature, this command for justice becomes a very practical command with respect to repentance!

In the Apostolic Writings, Paul spoke to Agrippa speaking of the Gentiles regarding his God given mission in the following way saying, *Acts 26:18 to open their eyes so that they may turn from darkness to light and from the dominion of Satan to God, that they may receive forgiveness of sins and an inheritance among those who have been sanctified by faith in Me.* 26:19 *‘So, King Agrippa, I did not prove disobedient to the heavenly vision, 26:20 but kept declaring both to those of Damascus first, and also at Jerusalem and then throughout all the region of Judea, and even to the Gentiles, that they should repent and turn to God, performing deeds appropriate to repentance. (NASB)* Paul wrote we are to do works (deeds) which are appropriate for repentance. In terms of justice, we know the application of מִשְׁפָּט-צְדָקָה is central to any well-functioning society. However, the question of what justice is in relation to who we are as the children of God, how this exactly relates to sin and forgiveness, is a more difficult matter to understand. What we find in the sense of sin and forgiveness, is the conflict that arises when we sin, this conflict is the result of our doing something that is contrary to the command of God. We therefore have to understand conflict in terms of tension that arises between the justice principles of God in the Torah and our lives. The justice principle is found in having faith that a life is given on behalf of another, and that we are to demonstrate our faith in repentance, doing deeds that demonstrate our faithfulness for repentance, to turn away from sin and not

commit those sins again. Questions about what is just might be expressed as conflict about which principle of justice should be applied in a given situation or how that principle should be implemented. Thankfully we have been given an instruction manual on how to repent and turn from our sins (the Torah). We are also told that we are to look for help from God's anointed one (Yeshua the Messiah). This manual for our lives is the Torah. Let's discuss these things further in this week's Torah portion.

This week we are looking at *Devarim / Deuteronomy 16:18-17:22*.

***Devarim / Deuteronomy 16:18-17:11***

*16:18 'You shall appoint for yourself judges and officers in all your towns which the Lord your God is giving you, according to your tribes, and they shall judge the people with righteous judgment. 16:19 'You shall not distort justice; you shall not be partial, and you shall not take a bribe, for a bribe blinds the eyes of the wise and perverts the words of the righteous. 16:20 'Justice, and only justice, you shall pursue, that you may live and possess the land which the Lord your God is giving you. 16:21 'You shall not plant for yourself an Asherah of any kind of tree beside the altar of the Lord your God, which you shall make for yourself. 16:22 'You shall not set up for yourself a sacred pillar which the Lord your God hates. 17:1 'You shall not sacrifice to the Lord your God an ox or a sheep which has a blemish or any defect, for that is a detestable thing to the Lord your God. 17:2 'If there is found in your midst, in any of your towns, which the Lord your God is giving you, a man or a woman who does what is evil in the sight of the Lord your God, by transgressing His covenant, 17:3 and has gone and served other gods and worshiped them, or the sun or the moon or any of the heavenly host, which I have not commanded, 17:4 and if it is told you and you have heard of it, then you shall inquire thoroughly. Behold, if it is true and the thing certain that this detestable thing has been done in Israel, 17:5 then you shall bring out*

*that man or that woman who has done this evil deed to your gates, that is, the man or the woman, and you shall stone them to death. 17:6 'On the evidence of two witnesses or three witnesses, he who is to die shall be put to death; he shall not be put to death on the evidence of one witness. 17:7 'The hand of the witnesses shall be first against him to put him to death, and afterward the hand of all the people. So you shall purge the evil from your midst. 17:8 'If any case is too difficult for you to decide, between one kind of homicide or another, between one kind of lawsuit or another, and between one kind of assault or another, being cases of dispute in your courts, then you shall arise and go up to the place which the Lord your God chooses. 17:9 'So you shall come to the Levitical priest or the judge who is in office in those days, and you shall inquire of them and they will declare to you the verdict in the case. 17:10 'You shall do according to the terms of the verdict which they declare to you from that place which the Lord chooses; and you shall be careful to observe according to all that they teach you. 17:11 'According to the terms of the law which they teach you, and according to the verdict which they tell you, you shall do; you shall not turn aside from the word which they declare to you, to the right or the left. (NASB)*

This week's portion begins saying, יח שְׁפֹטִים וְשֹׁטְרִים תִּתֶּן-לָהֶם בְּ- כָל-שְׁעָרֶיךָ אֲשֶׁר יִהְיֶה אֲלֵהֶיךָ נִתֵּן לָהֶם לְשֹׁבְטֶיךָ וְשֹׁפְטֵי אֶת-הָעָם מִשְׁפָּט-צֶדֶק: 16:18 'You shall appoint for yourself judges and officers in all your towns which the Lord your God is giving you, according to your tribes, and they shall judge the people with righteous judgment. (NASB) The Lord commands us to administer justice (מִשְׁפָּט-צֶדֶק) in the land, however this seems to present us with a problem in the sense of sin and redemption. We commit sin, God expects justice, and we are forgiven though we are guilty for what we have done. Every one of us has done things that we are not proud of that cause us to feel guilty. This is the human condition. Perhaps we have treated someone else unfairly,

caused personal injury, loss, or harm, verbally or physically, stolen, cheated, or some other negative thing that violates the moral code the Lord God of Israel expects of us as His people to maintain. Perhaps even the sin that you have committed did not involve someone else, but only your body and God (i.e. sexual). The largest problem we are faced with, once having committed a transgression against God (whether against man or God only), we feel guilt because we are truly guilty, this is a judicial fact that comes from this idea we are reading here in this week's Portion regarding justice (מְשַׁפֵּט-צִדְקָה). The idea is in relation to the terms "guilt" and "guilty" because one refers to an emotion, while the other refers to one's judicial standing. If I say that I am guilty, you recognize that I am referring to the fact that I am actually responsible for having committed some wrong. The struggle with these things are related to our understanding of Forgiveness. Receiving Forgiveness from God is vitally important for us to achieve freedom from guilt. The key to being rid of our guilt is found in repentance. Most of us have the feeling that repentance is feeling "sorry" for what we have done and ask the Lord or the person whom the offence took place to forgive us. The Greek words for "repent" and "repentance" (μετανοώ, metano) carry the meaning of "changing one's mind" to "think differently," and "to reconsider" and implies that a "transformation" takes place on the inside which leads to "turning around" and heading in different direction. This is the meaning of the Hebrew word שׁוּב for Teshuvah meaning to turn away from something, which is the definition of repentance. This is more than simply feeling sorry for what we have done. The significance of this statement is why Paul had to say what he did in regard to repentance, Paul wrote we are to do works which are appropriate for repentance, (Acts 26:18-20) which in terms of justice, the application of מְשַׁפֵּט-צִדְקָה, is central to a Torah based life. Paul said the following while retelling his encounter with Yeshua on the road to Damascus.

### **Acts 26:16-22**

*26:16 'But get up and stand on your feet; for this purpose I have appeared to you, to appoint you a minister and a witness not only to the things which you have seen, but also to the things in which I will appear to you; 26:17 rescuing you from the Jewish people and*

*from the Gentiles, to whom I am sending you, 26:18 to open their eyes so that they may turn from darkness to light and from the dominion of Satan to God, that they may receive forgiveness of sins and an inheritance among those who have been sanctified by faith in Me.’ 26:19 ‘So, King Agrippa, I did not prove disobedient to the heavenly vision, 26:20 but kept declaring both to those of Damascus first, and also at Jerusalem and then throughout all the region of Judea, and even to the Gentiles, that they should repent and turn to God, performing deeds appropriate to repentance. 26:21 ‘For this reason some Jews seized me in the temple and tried to put me to death. 26:22 ‘So, having obtained help from God, I stand to this day testifying both to small and great, stating nothing but what the Prophets and Moses said was going to take place; (NASB)*

Paul is speaking to Agrippa recounting what Yeshua himself said to Paul on the road to Damascus telling him He is sending him to the gentiles *“that they should repent and turn to God, performing deeds appropriate to repentance.”* Note how he says they are to perform deeds appropriate for repentance. In Parashat Noach, following the flood, the Torah tells us that the people of Shinar decided to build a tower, known as the *“Tower of Babel.”* Our sages explain that the building of this tower occupied the minds and hearts of the people so completely that it caused them to be un-attentive and uncaring in regard to the needs of one another. This was coupled to their wanting to establish a name for themselves in the heavens as a god. The people of Shinar forgot the foundation of faith that is established upon justice and mercy. Throughout the centuries, Judaism has taught the values of justice and mercy as it is expressed in the Torah. The student learns the Torah means *“instruction”* as it is God’s loving instruction for His people which is the solid foundation of our lives. The Torah functions as a guide and the wedding vows of the sacred marriage between the God of Israel and His people. This is why in the Targum Jonathan ben Uziel, *Vayikra / Leviticus 19:18* (*“And you shall love your fellow as yourself.”*) this Scripture is expanded upon saying, *“And you should*

*love your fellow. What you dislike for yourself do not do to another person.*” This corresponds to the famous words of Hillel related in the *Talmud Bavli Shabbat 31a* when a gentile came to him and requested that he be converted to Judaism on the condition that he be taught the whole Torah while standing on one leg. Hillel understood this prospective convert was very serious about his commitment and said to him, *“What you don’t want for yourself, don’t do to your fellow. This is the foundation of the whole Torah; the rest is its commentary. Go and study.”* Rabbi Akiva alluded to the fundamental importance of this commandment of which Rashi also concludes in his commentary saying that this commandment is a major rule of the Torah. This is where justice (מִשְׁפָּט-צְדָקָה) finds its application, to love one another causes us to apply justice that is tempered by mercy.

Rashi has the following to say concerning *Devarim / Deuteronomy 17:1* in relation to Justice.

#### ***Rashi on Devarim / Deuteronomy 17:1 Part 1***

לא תזבח... כל דבר רע. אֲזַהֶרָה לְמַפְגֵּל בְּקִדְשִׁים עֲ“ִ דְבוּ  
 ר רֵעַ. וְעוֹד נִדְרְשׁוּ בּוֹ נְשָׂאֵר דְּרִשׁוֹת בְּנִשְׁחִיטַת קִדְשִׁים (זב-  
 THOU SHALT NOT חים ל“ו): לא תזבח ... כל דבר רע  
*SACRIFICE [UNTO THE LORD THY GOD ANY OF  
 THE HERD OR FLOCK WHEREIN IS BLEMISH OR]  
 ANY EVIL THING — This is an admonition to one who  
 would make sacrifices abominable through an evil ut-  
 terance (דבר רע). (See Rashi on Leviticus 7:18; cf. Si-  
 frei Devarim 147:5). Besides this, other Halachas have  
 been derived from it in the Treatise on “The slaughtering  
 of Sacrifices” (Zevachim 36).*

Rashi on *Devarim / Deuteronomy 17:2* states the offering of a defective sacrifice is an abomination to God and is paralleled to the evil utterance (*something which comes from the heart, Lashon Hara*), the evil word (דבר רע). Rashi draws in the concept of Lashon Hara, which in itself draws in the context of sin, immorality, idolatry, murder, etc. This is why the New Testament speaks of violating one command leads to having violated them all. (see *James 2:10*) This connects the faulty

sacrifice to sin, and is in agreement with our assessment on justice (מִשְׁפָּט) as it is related to sin, repentance, and forgiveness from God.

Ibn Ezra states the following:

### ***Ibn Ezra on Devarim / Deuteronomy 17:1 Part 1***

לא תזבח לה' אלהיך. הנה כאשר הזכיר האשרה והמצ־  
*You must not offer to God your god Since Scripture has mentioned the prohibitions of the asherah , and the monolith, Scripture now states that it is also prohibited to sacrifice anything blemished to God .*

### ***Part 2***

any repugnant thing is the explanation of the term blemish.  
*כל דבר רע. פירוש מום:*

### ***Part 3***

כי תועבת. כטעם הקריבהו נא לפחתך ויש עונש לזבחו ואין  
*abhorrent in the sense of “offer it to your prefect” [Malachi 1: 8], because to offer such a sacrifice is a punishable offense, whereas no punishment falls to one who fails to offer a sacrifice (except for the obligatory ones).*

Notice how Ibn Ezra speaks of offering to God our god as it is connected to the asherah being set up along side of the altar. This speaks of the parallel of the ways of God as they are opposed to the ways of man which is rooted in sin. We have to take care not to pollute the ways of God by our sinfulness.

The rabbis according to the rabbinic literature (see *Midrash Tehillim 122 Part 4*) always discuss the Torah as a way of life, and the Lord causing His presence to rest in the place of His choosing. This is a foundational principle that is taught in the Torah. The weightiness of God's ways for our lives led to the belief that the Torah existed before the creation having both a spiritual and physical aspects leading to the question whether there is a heavenly Jerusalem as God's Word (given

from above) is connected to this world and our lives. The proof text for this question is taken from *Tehillim / Psalms 122:3*. The Masoretic Text states, יְרוּשָׁלַם הַבְּנוּיָהּ כְּעִיר שְׂחֻבְרָה-לָּהּ יַחְדָּו׃, *122:3 Jerusalem, that is built As a city that is compact together; (NASB)* The Aramaic Targum states, ג ירושלם דמתבניא ברקיעא היך קרתא דאתחברא לה כחדא באר׃, *22:3 Jerusalem that is built in the firmament is like a city that has been joined together on earth. (EMC)* The Targum translation speaks of building Jerusalem in the firmament that is joined with the city here on earth. This is paralleled to ascending the Temple mount in Jerusalem. The presence of God who dwells in heaven and His presence on earth is connected to Torah observance (i.e. the obedience of the faith). It is the unfortunate case that in much of evangelical Christianity the Tanach (OT) is hardly taught, rarely preached on and little understood by the average person. Where the Torah (Law) is mentioned, it is often portrayed as merely a burden from which Christians are now free from. This does seem quite counter-intuitive because the biblical picture of the Torah is quite different. The Torah in the Tanach is spoken of as the loving instruction and a gift from God, a guide to life, something to be cherished and enjoyed, as well as something to be obeyed under penalty of punishment for disobedience (see *Tehillim / Psalms 119*). It is intimately bound to the covenant wherein the God of Israel graciously reiterated His relationship with His people. Wisdom as it is described in the Tanach is the skill of living according to God’s moral code, and the Lord is said to dwell within the believer to help him live according to His ways. The wise person is said to live in God’s ways which are intended for life. True wisdom which the Apostle James spoke of is from “above,” from the Lord God in heaven. (*James 3:17*) The Lord gives wisdom (*Mishley / Proverbs 2:6*), and when wisdom is personified in the proverbs, she is said to have helped to shape creation (*Mishley / Proverbs 8:22-31*). Wisdom is said to come and enter into a man, to dwell in him. In the *Zohar 1:134a*, the rabbis say the Lord God had already created Teshuvah (Repentance) before the creation of the world.

### ***Zohar 1:134a***

*When the blessed Holy One desired, when it arose in His will, to create the world, He gazed into Torah and creat-*

*ed it. For every act of creation throughout the world, the blessed Holy One gazed into Torah and created...As He was about to create Adam, Torah exclaimed: 'If a human being is created and then proceeds to sin, and You punish him, why should the work of Your hands be in vain, since he will be unable to endure Your judgment?' He replied, 'I have already prepared teshuvah, returning, before creating the world.' Once He made the world and created Adam, the blessed Holy One exclaimed, 'O world, world! You and your laws are based solely upon Torah. That is why I created the human being in you, so that he might engage in her, strive for her. If not, I will turn you back into chaos and void.'*

Note how the Torah describes the methodology for repentance, and so if the Torah preceded the creation, so does repentance. The wise man who studies the Torah understands the importance for repentance because we all fall short of God's instruction. The Torah and the working of the Spirit go hand in hand. Judaism connects the Spirit of God to wisdom, as it is connected to following (walking in) the ways of God. Examples of this are given in *Bereshit / Genesis 41:38-39* Pharaoh observed the magnitude of Joseph's wisdom and the presence of God's Spirit that dwelled within him. This same connection may be made when looking at Bezalel who is said to have combined wisdom and the presence of the Spirit in his life that enabled him to create all of the vessels, everything for the tabernacle (see *Shemot / Exodus 31:1-11*). Moshe tells us in *Devarim / Deuteronomy 34:9* that Joshua was filled with the "*Spirit of wisdom.*" Wisdom is described as being the companion with the Lord during the creation. This indwelling, shaping, and creating, becomes a part of our lives in order to help us to shape and create mercy and blessings towards others. The rabbis believed that wisdom must be connected to Torah such that Torah observance is wisdom in the life of God's people. So when James states that wisdom is "*from above*" he is referring to "*in the heavens*" to say that not only is wisdom from the heavens, but that we walk in heavenly places as a result of our ordering our lives in accordance with God's Word. Remember that all of these concepts here are related to what Paul calls "*walking in the Spirit of*

*God*” in his epistles. We know God and He knows us because we walk in His ways. This is the meaning of the abiding Yeshua spoke of that is required from His people. (*John 15*) The rabbis connect the wisdom of God to the Torah, we understand this from the Zohar in the sense of how the Lord looked into the Torah (looked towards wisdom) in order to create the world. What is interesting is how wisdom is personified as being with God in the beginning according to Solomon (*Mishley / Proverbs 8:22-31*), and how the Scriptures suggest this wisdom was not only involved in the creation, but also sent to dwell among men. Also remember, Judaism connects the Spirit of God to Wisdom and His Torah according to Rabbi Abraham Joshua Heschel.

### ***God In Search Of Man, Rabbi Abraham Joshua Heschel***

*The word Torah is used in two senses; the supernal Torah, the existence which preceded the creation of the world, and the revealed Torah. Concerning the supernal Torah the Rabbis maintained: “The Torah is hidden from the eye of all living...Man knows not the price thereof.” “Moses received Torah” but not all of the Torah “at Sinai.” And not all that was revealed to Moses was conveyed to Israel; the meaning of the commandments is given as an example. Together with the gratitude for the word that was disclosed, there is a yearning for the meaning yet to be disclosed. There is a theory in Jewish literature containing a profound parabolical truth which maintains that the Torah, which is eternal in spirit, assumes different forms in various eons. The Torah was known to Adam when was in the Garden of Eden, although not in its present form. Commandments such as those concerning charity to the poor, the stranger, the orphan, and the widow, would have been meaningless in the Garden of Eden. In that eon the Torah was known in its spiritual form. Just as man assumed a material form when he was driven out of the Garden of Eden, so has the Torah assumed a material form. If man had retained “the garments of light” his spiritual form of existence,*

*the Torah, too, would have retained its spiritual form.*

The rabbis say there still remains some things that are hidden from man concerning God's instruction (Torah). Wisdom is what leads a man to wait patiently upon the Lord for her, and leads us to study and seek the Lord and His kingdom. The Greek word for preparation (hetoimasia), refers to being in the condition of readiness or preparedness. Its cognate term is used in *Titus 3:1*, "*Remind them to be subject to rulers, to authorities, to be obedient, to be ready for every good deed . . .*" We are called to be prepared for what comes our way in this world. For example, a good pair of shoes allows a soldier to be ready for conflict. In the same way we are to be prepared for a spiritual battle by studying God's Word, establishing God's Word in our hearts and our lives (i.e. having our shoes on) and being at peace trusting and resting in the Lord and His Messiah Yeshua.

In this week's Torah portion the Lord commands us to administer justice (מִשְׁפָּט-טָרָף) in the land as it is related to living our day to day lives. The application of מִשְׁפָּט-טָרָף is central to any well-functioning society and it is central for our lives as the children of God. The concept of justice is related to sin and forgiveness, and the wisdom the Lord gives us by His Spirit to understand all of these things for the practical application of His Word to our lives. The Torah concept of sin and forgiveness involves someone else bearing the cost or penalty for sins without requiring payment from me. Sins have inevitable consequences. They harm others, they harm us, and they harm our relationship with God. This pretty much sums up everything we have been discussing here bringing us back to the justice (מִשְׁפָּט-טָרָף) of God. The Torah helps us to understand our need for forgiveness, and to appreciate the gift of life that has been given to us. We recognize the cost that has gone into this gift and express our need for the Lord and His Messiah Yeshua in order to be forgiven. This is the joy that we have in drawing near to the Lord, seeking Him, and the service of the Tabernacle. This is what the author of Hebrews says we may "*draw near with confidence to the throne of grace, so that we may receive mercy and find grace to help in time of need.*" (*Hebrews 4:16*) In our faith, drawing near to the Lord, and seeking His ways, we are empowered to live a new life free from sin.

