

Shiur L'Yom Sheni¹

[Monday's Study]

READINGS: ***Torah Shoftim:*** **Deuteronomy 16:18-17:13**
 Haftarah: **Isaiah 51:12-16**
 B'rit Chadasha: **John 1:19-20**

***Tzedek! Tzedek! Pursue it,
that you may live and inherit the land which the Holy One your God is giving you.***
[Deuteronomy 16:20]

Today's Meditation is Psalm 94:1-11;
This Week's Amidah Prayer Focus is the 2nd Petition, T'shuvah [the Prayer of Repentance]

Shoftim v'shotrim titen-lecha b'chol-she'areicha – Set/establish magistrates and scribes in all your gates ... ***asher Adonai Eloheicha noten lecha lish'vateicha*** – that the Holy One your God assigns you in stewardship, by tribes ... ***v'shafeitu et-ha-am mishpat tzedek*** – and let them make wise executive decisions for the people that promote righteousness. **Deuteronomy 16:18.**

Moshe has already provided several critical tools for building a Heaven-Scented-Society. We now have ears to *sh'ma*. We now have a clear picture in our minds of the kind of footprint we are supposed to leave wherever the soul of our feet shall tread. We are now beginning to see the world – and ourselves – through eyes that *re'eh*. Now it is time for Moshe's 'Come Up Here and See What I See' Discourse to expand our vision into more and more areas of practical application. It is time for another page of the blueprint packet – the one entitled 'Kingdom Infrastructure'. The kind of questions that will frame parsha *Shoftim* will be questions like: *What does 'Your Kingdom come on earth as it is in Heaven' look like in terms of real boots on the ground infrastructure? And 'Where does the 'rubber meet the road' in terms of who needs to do what, when, where, and how for what short and long-term Kingdom advancement purposes?*

Enhanced Vision Regarding the Kingdom-of-Heaven-Scented-Society That We Have Been Commissioned to Build – Part II – Installing Kingdom Infrastructure

Moshe has been stirring our hearts with holy passion for the Land the Holy One promised to the Patriarchs. Our souls now cry out with longing to finally leave this present lifestyle of wilderness wandering behind. We are looking for the land our forefathers called home – a land we can call our own, in which we can *be who we were created to be* and *live as we were created to live*. We hunger to enter into and

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possess the Bridal Chamber our Divine Bridegroom has prepared for us. It is there, and only there, we know, that we will find rest for our weary souls. And now, there our resting place sits, mere meters away, on the opposite bank of the Jordan River. Its pleasant hillsides are calling to us. Its luscious dates, succulent figs, delightful pomegranates and lilies of the valley are waft their fragrance over us daily. Each evening now we watch it turn shimmering golden as the sun sets over its peaks. And later, when in sleeplessness we sally forth to gaze out upon those same hills bathed in sweet silver glow of moonlight ... well it *literally takes our breath away*. Think of it - our Bridegroom's chosen place-for-us is literally so close we can *see it*, and *smell it*. Sometimes it seems we can almost *taste it*.

We have finally come to realize that the wilderness through which we have been traveling all our lives up to this point is not our home. It is not where our destiny lies. We now understand that each place we have encamped along the way have just been a temporary shelter – a *sukkah* as it were - one in a strategically-planned series of places which the Divine Bridegroom processed us through in order to teach us critical lessons about *life*, about *Him*, and about *ourselves*, which we will need to know in order to accomplish what we were brought here to do. We are now ready for *real villages with real marketplaces*, for *real cities* with real gates, for *real people with real problems* ... and, as much as we hate to think about it ... *real Kingdom Administration*.

***Someone Has to Run Into the Breach, Stand in the Gap,
and Guard the Gates; And Someone Must Be In Charge of
Keeping the Peace and Maintaining Redemption-Thrust***

The Holy One has promised that if, when, and to the extent we *asah* His instructions for human life and treasure His directives of thought, speech, and behavior, we will '***dwell in the land in safety***'². **Leviticus 25:18-19**. Moshe wants us to know that the manifestation of this blessed state of security is going to require co-laboring with the Holy One on multiple levels. Not only are we going to need to be faithful to walk in the Torah in regard to our daily lives, our familial relationships, our diet, our personal appearance and adornment, our social behaviors, and our commercial dealings, we will also need to physically set diligent, qualified, honest, disciplined, and well-trained watchmen over our cities. We will have to assign faithful men to guard the points of ingress of every village and town – indeed, wherever we aggregate, assemble, or conduct commerce. The

² The Hebrew word translated as 'safety' in this context is *betoch*, *beit*, *tet*, *chet*. *Betoch* denotes confident assurance/trust resulting in a sense of security that overcomes fear, worry, anxiety, and stress.

phrase that comes to mind is ‘*trust – but verify*’³. We will have to designate men to greet and make inquiry of visitors, to register their identities, to assess their intentions, to determine the level of threat they pose, and to grant, refuse, or place conditions upon that entrance based upon that determination. So ... who are the Kingdom’s watchmen to be? What will they be called? And what will be their rules of engagement? Class is in session. Moshe is about to tell us.

As we read and meditate upon *Shoftim*’s instructions on civil government this week, however, we need to keep reminding ourselves to resist the temptation to take the names and faces of the government officials of our day, or their pronouncements, policy agendas, and actions, too seriously. Their faces seem to be in all the news stories. But they do not determine our peace of mind, our destiny, or our future. They have no power over our joy, our passion for the Holy One, or our hope for the Messianic Kingdom. Whatever they do, they do. But we must be about our Father’s business.

No matter who is in control of the government – whether it be a Saul, a David, a Solomon, a Jeroboam, and Ahab, an Antiochus, or a Herod – it is always OUR JOB, not the government’s job, to model the covenant lifestyle. No matter who is in the ‘news’, what they are saying, or what they are doing, it is always OUR JOB to live joyful, atmosphere-shifting lives that demonstrate the wisdom and beauty of the One with Whom we are in Covenant. It is always OUR JOB to walk hand in Hand with the Divine Bridegroom of Heaven, according to the principles of His Kingdom, and make the world a better place. It is always OUR JOB, not the job of a priesthood, an organization, an institution, the government, or the rich, to model the beautiful ways and wisdom of our King in the home, the workplace, the marketplace, and everywhere we travel along the dusty road.

The Covenant lifestyle cannot be legislated or institutionalized. It cannot be implemented through government programs. It cannot be reduced to a set of rules and regulations. It cannot be subjected to political party pandering, pontificating, and patronage. It is not the kind of thing that can be enforced on any society – or indeed any person - involuntarily. Nor can it be reduced to a creed, a philosophy, an ideology, or a theology. It cannot even be reframed into ‘moral principles’ or ‘social justice’ ideals for either populists or oligarchs, humanists or theists, universalists or nationalists, socialists or capitalists, libertarians or law-and-order advocates, to twist into misinformation, disinformation, propaganda, or hate speech.

³ This phrase, an English translation of a phrase from an ancient Russian proverb, was made famous by Ronald Reagan in the late 1980s in relation to his dealings with Mikael Gorbachev, then the leader of the Communist government of the now-defunct Union of Soviet Socialist Republics [USSR].

Here is *the ultimate truth of Covenant life*. If conditions in the lands in which we live, in exile or in Israel, are such that we can openly and publicly model the covenant lifestyle where we are, wonderful. If not, however, the one thing we must NOT do is quit living the covenant lifestyle. If the covenant lifestyle becomes *verboden* – either by official decree or as the result of widespread public sentiment – that means the people have *rejected our witness* and *chosen lawlessness* – and all its consequences. That means *we need to move* – home to Israel if possible, but if not to whatever country will allow us to be who we were created to be and do what we were created to do. And if we cannot move, or if we are already in the land of Promise, it means we need to keep doing what the Torah calls us to do, keep seeking the Face of the Divine Bridegroom, and prepare our hearts to not only endure with patience whatever evil comes our way but train our children to overcome that evil with good.

A City With Foundations – the Bedrock Footings of a Kingdom-of-Heaven-Scented Society

Moshe is preparing to die and be gathered to his people. Before he goes gentle into that good night however he is passionately charging the young men and women who will possess the Promised Land concerning the lifestyle which the Divine Bridegroom intends for them to live when they get their respective allotments and inheritances. The Holy One's **Master Plan**, of course, is for *Am Yisrael* to be a very noticeably different nation than any nation that had theretofore existed on earth. *Am Yisrael* is destined to function as *a light to the other nations on earth* - as a 'city set on a hill'.

We are not called to function merely as individuals. It is not to be 'us against the world'. Nor are we to limit our interactions solely to the members of our families. We are not just 'holding ground'. ***We are called to change the atmosphere every place the sole of our foot shall tread.*** We are not here to conquer the world, engage the world in arguments over theology or politics, criticize people, judge nations, or destroy structures – ***we are here to release:***

1. *the sweet fragrance of Messiah,*
2. *the pure water of the King's Words,*
3. *the pleasantness of the King's Heart, and*
4. *the problem-solving wisdom of the King's counsel.*

The Earthly Embassy of a Heavenly Throne

In *Va'etchanan* Moshe described how this Divine 'light to the nations' strategy was designed to work. Here is how he described it then:

[The nations of the world] will hear all these statutes and say [of Am Yisrael],

'This great nation is certainly a wise and understanding people.'
For what nation is so great that they have God close to it,
as the Holy One our God is, whenever we call Him?
And what nation is so great that they have such righteous rules and laws,
Like this entire Torah that I am presenting before you today?

What makes a nation **wise**? What qualifies a nation as having **understanding**? It involves two essential elements:

1. *the intimacy of the people of that nation with God*, and
2. *the wisdom, beauty, and transformative energy of the Divine Instructions for Human Life and Interaction That are Revealed in the Torah.*

In *Shoftim* Moshe is going to take this Divine 'light to the nations' picture a step further, and outline a few of the specific processes that will need to be followed in order for the Holy One's glorious plan for *Am Yisrael* to come to fruition. I do not mean just for the generation of the Conquest. I mean for *all generations*, including mine and yours. You see, Dear Reader, with the words he will write this week Moshe is prophetically empowering all generations to fulfill their part of the Divine Plan of establishing *Eretz Yisrael* as the earthly embassy of His Heavenly Kingdom.

On earth as it is in Heaven. You have heard such a phrase before, no? Now perhaps you can understand why several chapters ago in Deuteronomy 6:4-9 Moshe laid out in such passionate language the general life-principle of *sh'ma*-ing the Voice of the Holy One. At that time Moshe made it clear that for all of us, in every generation, Assigned Task #1 – *i.e.* the most important thing we as redeemed persons can do - is to dedicate our lives and homes to *listening to*, and *hearing*, and *treasuring* as our most prized possession the Words of the One True God, then to *internalize* that Word, and *let that internalized Word totally transform the way we think, speak, and act.*

Moshe taught us that the ***Sh'ma*** declaration is not a mere affirmation of faith, but is instead a *commitment to a radical new way of life*. It is all about *getting in rhythm, step, and flow with the Holy One*. It is about making whatever adjustments to our attitudes, opinions, speech patterns, defense mechanisms, and behaviors to stay on target with what He is doing within every **sphere of influence He has given us**. Hence Moshe taught us that the phrase '***Sh'ma Yisrael***' does not just mean merely "*Listen up Hebrews!*" - it is instead a call to surrender our private agendas and self interest and adopt as a lifestyle *the listening ear* – a spiritual ear that hangs on every Word spoken by the Holy One the way a drowning man hangs on a lifeline when being rescued.

In the *Shoftim* segment of the Two Pathways Discourse Moshe is going to

challenge us even more. Having laid out in *Re'eh* a set of basic, unchanging instructions concerning how people who *sh'ma* are to [a] express their worship of the Holy One, and [b] express outwardly the inner difference the Holy One has made in their lives, he is now ready to move on to teach us the Holy One's eternal principles for *establishing and maintaining proper social order and proper military preparedness* in His special Nation. The issues we will be discussing this week are therefore not strictly issues of personal piety, but are matters of DIVINE GOVERNANCE. It all has to start with what people encounter when they enter our GATES.

B'chol-she'areicha - i.e. In All Your Gates

As we learned in the introductory shiur, Moshe has made it very clear that once we take possession of the land of Israel one of the first things that is to happen is that:

Shoftim v'shotrim titen-lecha

Judges and officials are to be provided/established by you

B'chol-she'areicha

in all your gates.

[Deuteronomy 16:18]

Divine government – or perhaps I should say the dispensation and administration of wisdom from on High - is designed to start on the local level. It is to be downloaded from a central government. It is to begin in, and spread outward from, our gates⁴. But ... what exactly are our 'gates'? Where does it all start?

Moshe has mentioned 'gates' – *as the plural form of the Hebrew noun שַׁעַר – sha'ar* – before. In Deuteronomy 5:14 Moshe mentioned 'gates' in the context of the jurisdiction/sphere of influence over which we are charged with remembering and bringing holiness to the Shabbat. In both Deuteronomy 6:9 and 11:20 Moshe specifically told us to write the words of the Torah *on our gates*. Within our 'gates' not only are we not to engage in regular work, but neither are our sons, our daughters, our servants/employees, or any of our animals. In Deuteronomy 14:28 Moshe told us that every third year we are to store up the tithe of the produce of our fields *in our gates*. As we discussed in the introductory shiur the verb root from which the Hebrew noun we translate as 'gates' is formed⁵ means to *cleave or divide*. It means *to separate one thing of a certain essence from another of the same essence*. In the Hebrew sense then, a gate is *a place where things are divided up*. In the natural, physical realm that means *where we enter into the most basic transactions of community life*. In the ancient world the gate of the city or village

See also Zechariah 8:16, where we will be told "*Give judgment in your gates for truth, justice, and peace*".

⁵ The verb root is שַׁעַר – i.e. *sha'ar, shin, ayin, resh*. This is Strong's Hebrew word #8176.

was the center of all city life. The gates functioned [in peace time at least] as a combination of marketplace, community center, city hall, armory, daily newsstand, and philosophical stump. Public announcements were made at the gate. Taxes were assessed and collected at the gate. Prophets went to the gate to prophesy. Kings' representatives went to the gate to present matters on behalf of the king. Legal matters were resolved at the gate. And just about anything a person might need or desire was for sale or barter there. So ... who exactly does Moshe see sitting in the gates of our cities and villages, and what exactly does he envision them doing?

Exactly What Kind of Vessels of Kingdom Governance Is Moshe Talking About?

Moshe says our gates are to house and all our transactions are to be overseen and supervised by two kinds of sandals-on-the-ground human instruments of divine Governance. In our English Bibles these two instruments of Divine Governance *judges* and *officials*, respectively. Hmmmmn. Does that mean that *human beings* – people we don't know or who we may not particularly like - are actually going to be trusted to make important decisions on critical issues of community life for us? *But ... what if they are WRONG? What if they are DECEIVED? What if they are EVIL?* Does Moshe really mean that the decisions these mortal men make are going to be enforced upon us *whether we agree or not – and whether they are RIGHT or not?*

Think about it. Over the past 40 years we have grown accustomed to having Moshe around, and have finally recognized that his relationship with the Holy One is pretty special. We have therefore pretty much come to trust *him* to make wise decisions affecting our lives. But Moshe has told us he is not coming with us into the promised land – so we are going to have to look to *someone else* to judge us. Now, he drops another bombshell on us – no longer is it going to be just one very special person judging the whole nation. To the contrary, we are told that we are to have *multiple judges* [hence the plural, *shoftim*, is used] in *every city* where we live.

It might fairly have been asked by the people – Uh, Moshe ... WHERE IN THE WORLD ARE ALL THESE **JUDGE-PEOPLE** GOING TO COME FROM? I mean, the people to whom Moshe gave these instructions were *just children of slaves*, who had lived their whole lives, up to this point, *roaming the desert*. Right now at least, not a single person in the camp except Moshe was by any means 'qualified' to be a judge.

Introducing Humble, Gentle Shoftim Who Actually Do It All For - And Out Of – Love For the Bridegroom-King

Moshe begins His instructions regarding the ‘civil authorities’ area of the lifestyle of the redeemed community by introducing a new term - *shofet* (sometimes rendered *shaphet*). What, you ask, is a *shofet*? The Hebrew word *shofet*⁶ is usually translated into English as “judge”. However, for reasons that will be made clear below, a *shofet* is not the same thing as a “judge” in modern English usage. In modern Western thought a “judge” is a purely judicial officer, appointed or elected by the people to decide a specific type of civil disputes and/or criminal prosecutions. But a Hebrew *shofet* does much, much more than this. While a *shofet* does hear and decide specific cases and controversies, he also serves as the people’s *governor* and *legislator*. A *shofet* therefore oversees virtually everything - military, economic, civil, religious, political, etc. - within his area of influence. To get an idea how a *shofet* functions, consider the people who served as ‘*shoftim*’ for Israel in the book which follows the book of Joshua in the Bible – the book whose name is usually translated “*Judges*” in English - but is actually *Shoftim*. The Hebrew word *shoftim* (the name of both this week’s parsha and the book of the Bible located between Judges and Ruth) is the plural form of the noun *shofet*.

In the context of Scripture therefore I interpret the term *shofet* not to merely mean a ‘judge’, but to mean a person who:

- *leads and vindicates* his people politically and militarily;
- *one who defends truth*; and
- *one who maintains order in, and guards the shalom of, the community.*
- one who, like Moshe, stands for the Holy One in whatever way is necessary to enhance the covenant relationship between the Holy One and His people.

In context therefore when Moshe instructs the Redeemed Community that *shoftim* will be placed in *all our gates*, the essence of what he is telling us that it is the Will and the Plan of the Holy One that in all cities we occupy in Eretz Yisrael, every time a person enters or exits the physical gates of those cities to engage in commerce or visit loved ones, he or she should come face to face with multiple *living, breathing emissaries of the Most High God*⁷.

⁶ *Shofet* is *shin, feh, tet*. It is pronounced *shof-ate*’.

⁷ As discussed in the introductory shiur the phrase ‘*she’archa*’ [i.e. “your gates”] should also be seen as referring to an individual’s sensory organs – his or her eyes, ears, nose and mouth. These organs, after all, serve as the “gates” through which we take in information from the outside environment and respond to it. Hence this directive is applied spiritually by the sages to mean that every person should consider himself or herself “a city in microcosm,” and should appoint forces of moderation, self-restraint, and to

But ... Why On Earth Do We Need Shoftim in a Redeemed Community?

The question may be legitimately asked – *why do we need shoftim – i.e. judges – in the Redeemed Community?* After all, aren't we all *redeemed*? Aren't we all *in covenant with the Holy One*? Once we get to the promised land, surely we will all *play nice, and get along, and live happily ever after* - won't we? These are fair questions. Let's try to answer them by looking at what a *shofet* does Hebraically. The first Biblical usage of the Hebrew word *shofet* is found in Genesis 16, in connection with the controversy between Avram and Sarai over Sarai's Egyptian servant-girl Hagar. After Hagar became pregnant with Avram's child, her attitude toward Sarai began to disrupt the *bayit shalom* [peace of the house] of our ancestors. In Torah, we are told:

*When she saw that she had conceived, her mistress was despised in her eyes.
Sarai said to Avram, "This wrong is **your** fault.
I gave my handmaid into your bosom,
and when she saw that she had conceived, I was despised in her eyes.
May the Holy One serve as shofet between me and you."
[Genesis 16:4-5]*

In light of the controversy between her and Avram over Hagar's attitude, Sarai called upon a *shofet* - someone [in this case, the Holy One] to tell her and Avram what should be done to resolve the controversy.

When Moshe tells us, by inspiration of the *Ruach HaQodesh* [Holy Spirit], that once we enter and possess the land of promise we are to have *shoftim* in the gates of all our communities, he is making a startling announcement – that in every one of our communities, even in our promised land, and even among exclusively Torah-submissive people, *we are going to have personal conflicts and controversies*. And he is at least hinting that these will be no small controversies that we can resolve just by a little forgiveness or a little submissiveness – but will be *big* controversies, that will seriously disrupt our *bayit shalom*, and will require some serious forms of outside mediation. *Say it isn't so, Moshe!* But alas, if a crisis of shalom can occur in the household of Avram and Sarai, our ancestors, it can – will - certainly occur in our communities. It is the course of human events. May the Holy One raise up for us true Torah *shoftim*!

Of course, the ultimate *shofet/shoter* is the Holy One Himself. When you think of our Bridegroom-King as a “judge” however do not just think of Him as a *judicial*

control what his/her eyes look at, what voices his/her ears hear, and what goes into, as well as what issues forth from, one's mouth.

officer. He is not merely a “judge” in the English sense (with only judicial power), but is the ruler of every aspect of your life. He has *all authority* over you. You are totally *His*. You are His to *command*. You are His to *direct*. You are His to *serve*. You are His to *judge*, His to *discipline as a son*, and His to *vindicate*. You are His to *establish in security*, and you are His to *cherish and nurture and provide for as a Bride*. See, for example, Psalm 96:10-13. He has the right to declare what is *tzedek* in every situation affecting your life. But here is the startling news of parsha *Shoftim* - the Holy One will, in His wisdom, and not infrequently to our great chagrin, sometimes delegate the right to declare what is *tzedek* – what Torah says about our situation - to flesh and blood. Sometimes he places critical situations in our lives under the authority of human *shoftim*. When someone tries to assert a right over your life, the key is to know who is a real Biblical *shofet* within the contemplation of Torah, and who isn’t really a *shofet* at all – just someone who likes to sit in the seat of the scornful, spout their own self-righteous opinions as if they were the word of the Holy One, and stoke their feeling of self-importance by telling other people how to live their life.

Fortunately, *shofet* authority is not - unlike the authority of the Aharonic priesthood - determined by lineage, title, or ordination. It cannot be inherited. It cannot be elected. It cannot be hired or fired. It cannot be purchased. It does not come with a title or a salary. Men can appoint, ordain, and give titles to other men all they want; they do it all the time. But the Holy One reserves the right to push all those appointments, ordinations, and titles aside like wood, hay and stubble - and raises up whom He will. Men, you see, always choose civil authorities based upon EXTERNAL THINGS – upon OUTWARD APPEARANCES, and upon political considerations; the Holy One, however, looks upon *the heart*. Men choose Eliav’s, and Adoniyah’s, and Nicodemus’ to lead them; the Holy One brushes them aside like straw, and raises up Davids, and Sh’lomos and *Sh’mon Kefas* [Simon Peters]. And so it always goes. But if you want to know if the person speaking into your life is a true Biblical *shofet*, look for the following characteristics:

- a. the Holy One has very clearly made him wise - not in his own eyes, but in the practical and spiritual realities of real life and relationships,
- b. he delights in both the study and the living out of the Torah;
- c. over a course of many years he has proven himself to be worthy of the trust of people in the community by honest and upright dealings.

Where Is This Special Breed of Shofet Supposed to Come From?

Because of our political Western mindset we usually render the verb of Deuteronomy 16:18 as “appoint”. We therefore say that we ‘appoint’ *shoftim*. But

the Hebrew verb used in Deuteronomy 16:18 is *natan*⁸ [the source of the English proper name “Nathan”]⁹. This verb does not mean “appoint”. Usually translated “he gives”, or “he consecrates”, or “he entrusts”, the Hebrew verb *natan* presents a Hebraic picture, a hieroglyph, of a man [*nun*], a covenant seal [*tav*] and Messiah [*nun sofit*] – i.e. *a person standing in for Messiah as a down payment on the covenant promise*. Let me try to explain how this works, using ‘the law of first instance’. The first instance in the Bible of the usage of the *natan* verb root is found in Genesis 1:17. There we are told that the Creator, on the fourth ‘day’ of Creation, ‘set’ [*natan*] the greater and lesser lights in the heavens ‘*to give light upon the earth, and to rule over the day and over the night, and to divide the light from the darkness.*’” Genesis 1:17-18. The actor in this passage is the Creator Himself.

What does this mean? Remember that on Day 1 of Creation Week, as part of His *covenant with the earth*, the Creator caused something *to send forth ‘light’ into the World* He had created. This was the ‘*ultimate light*’ – a spiritual form of light that preceded the sun, moon and stars. Then on Day 4 of the same week the Creator went further and established [*i.e.* He *natan*-ed] two kinds of *physical* lights to perform in the *physical, temporal world* the same function performed by the *ultimate light* of Genesis 1:3 in the *spiritual, realm*. Specifically, these physical lights consisted of a ‘*greater light*’ – *i.e.* the sun - and a ‘*lesser light*’ - *i.e.* the moon.

Remember that the *evening* came before the *morning*. Hence as strange as it may seem to us the ‘lesser light’ which the Holy One *natan*-ed was designed to become visible to Creation before the ‘greater light’, and was to serve not only a low-impact light-shedding function, but was to simultaneously serve as *a prophetic precursor of the ‘greater light’ that was to come*.

Think of this in terms of Messiah and his forerunners. Moshe, David, *Eliyahu ha-Navi*, and Yochanan the Immerser were all *natan*-ed by the Holy One to us as real men, who served a real and tangible function on earth [*i.e.* served as *lesser lights*] – but each was also a prophetic precursor of the Messiah [the greater light], reflecting the Messiah’s light in their world and prophesying to their world of His eventual appearance.

If you understand that the casting of light upon the earth – at least light that *separates light from darkness* – is purely a Messianic function [See **John 1:4-9; John 9:4-5**]; and if you understand that *shafat*-ing [*i.e.* judging and ruling] is also a purely Messianic function [See Isaiah 11:1-5 and John 5:22]; then you should also understand

⁸ In the Hebrew text of Deuteronomy 16:18 the verb *natan* is found in its imperfect participial form, rendered *titen* [*tav, tav, nun sofit*] in the transliteration I quoted on the first page of this aliyah.

⁹ *Natan* is *nun, tav, nun sofit*. Strong’s Hebrew word #5414, it is pronounced *naw-tawn*’

that no human being can *appoint* or *choose* a **shofet** any more than he can appoint or choose the moon to perform its function of giving light in the darkness. Why is this so? Because both the moon and the **shofet** are *ordained by the Creator* – and **natan-ed** by Him and Him alone, to function in our midst as a representative of Messiah, the Anointed One.

The Creator alone can take ordinary men and cause them to, like the ‘greater light and the lesser light’ of Creation, give light - albeit a low intensity prophetic precursor to the Messianic light - upon the earth. Only the Holy One, you see, is capable of turning ordinary men into ‘*burning and shining lights*’ for His glory. Moshe is therefore not telling us to appoint or elect *shoftim* in our communities. What he is telling us is that, as part of His covenant with us, indeed as a down payment on His covenant promise to send Messiah to us, the Holy One is going to sovereignly select men from our communities and then sovereignly *raise such men up* for all to see, as *shoftim*. The way He will do this is the same way He sovereignly placed the greater and lesser light in the heavens in the Week of Creation – He will *natan* them.

The Proof - the Book of “Judges”

If you want more proof of this just look ahead to *Sefer Shoftim* [the Book of “Judges”]. The Holy One tells us in no uncertain terms where our ‘judges’ [Hebrew, *shoftim*] came from in the initial periods of our national history:

*The Holy One raised up shoftim,
who saved them [Israel] out of the hand of those who despoiled them.*

* * *

*When the Holy One raised up judges [shoftim] for them,
then the Holy One was with the judge,
and saved them out of the hand of their enemies all the days of the judge
[Judges 2:16, 18]*

The first *shofet* mentioned is *Otniel*, of the tribe of *Y'hudah* [Judah], *Kalev's younger brother*. He was not elected or appointed. He was “*raised up*” by the Holy One. **Judges 3:9**. Likewise the second *shofet*, *Ehud*, the *Benyamini* [Benjaminite], was not appointed or elected, but ‘given’ by the Holy One. **Judges 3:15**. Need we speak of *Gideon* [see **Judges 6:11**], *Shimshon*, whom we know as ‘Samson’ [see **Judges 13:24-25**], and *Sh'muel*, who we know as Samuel [see **I Samuel 3**]?

Do you want Godly *shoftim* who *shine the Light of Messiah* on your world? Do you want your gates occupied by men who judge not by what they see with their eyes, and decide not by what they hear with their ears, but who *with righteousness judge the needy*, and who *with justice give decisions for the poor of the earth*? If that is what you want, then ask the Holy One to raise them up - like He raised up the *shoftim* mentioned above in the book called ‘Judges’. And then watch in

wonder as He sovereignly raises places the *shoftim* you asked for *in your gates* just like He placed the greater and lesser lights in the heavens on the fourth day of Creation. Neither ballot boxes nor ordination ceremonies, nor titles nor salaries, will be necessary.

Don't Forget the Other Guys – Ha-Shotrim

It is not only *shoftim* that the Holy One tells us will He will provide for us to govern our communities. Functioning alongside *shoftim* the Holy One says we are told we are to have a group of people Torah calls *shotrim*¹⁰. The exact function of *shotrim* in the government of Eretz Yisrael is somewhat difficult to pin down. The first reference to *shotrim* in Torah is found in Exodus 5, when an angry Pharaoh instructed his taskmasters and some other people – which Torah calls *shotrim* – to make the Hebrew slaves gather straw in addition to making bricks, effectively doubling their workload. The sages have interpreted the term *shotrim* in that context to refer to Hebrews who served as ‘lead men’ on the various work crews [i.e. first line foremen, hence the origination of the term ‘*straw bosses*’]. Such people would have been responsible for passing on the directions to the workers [i.e. a *publication/dissemination function*], as well as making sure those directions were followed by every worker [i.e. an *administration function*]. Pharaoh just said ‘they have to get their own straw’. The *shotrim* had to come up with a workable plan to make that happen.

Shotrim are persons responsible for [a] publicizing, and [b] overseeing the enforcement of, whatever the *shoftim* that the Holy One raises up for us say should be done. They will be the *enforcement arm* of the *shoftim*. In the Apostolic narratives of the life and teachings of Messiah Yeshua, the *shotrim* are probably the ones our English Bibles call ‘scribes’.

The Basic Principle of Messianic Government: Defining – and Pursuing – Tzedek uMishpat

Our English translations of the Bible tell us over and over that justice is to be the guiding principle of all human interaction. They tell us that *walking in* and *teaching* JUSTICE are integral components of our calling as sons and daughters of Avraham. **Genesis 18:19**. They tell us that JUSTICE [along with truth, mercy and judgment] is one of the foundation stone underlying our Great King’s Throne. **Psalm 89:14**; see also **Isaiah 9:7** and **Jeremiah 23:5**. They tell us that our Great King loves JUSTICE [**Psalm 33:5**] and that we are to *PURSUE JUSTICE*. **Deuteronomy 16:20**. English translations of the scroll of the prophet Amos will even challenge us to *let JUSTICE run down like a river*. **Amos 5:24**.’ But is justice really what the Holy

¹⁰ *Shotrim* is *shin, tet, resh, mem sofit*. It is the masculine plural form of the noun *shoter*, which is Strong’s Hebrew word #7860.

One and the Hebrew writers of the TaNaKh are talking about in those verses?

Western-culture people are programmed from birth to see the role of government as being to administrate 'justice'. But there is a problem with that. The Western concept of 'justice' is an esoteric, moral, theoretical, and therefore abstract concept. It is usually thought of as something like 'fairness' - which means it is totally in the self-interested eye of the beholder. Hence it is totally caught up in the poison of the fruit of the tree of the knowledge of good and evil. It relies upon moral judgments, fixates on hard and fast rules, is highly affected by public opinion, can be easily manipulated by inflammatory, emotionally charged rhetoric, and is primarily focused upon what happened in the past.

The Hebrew ideas of *tzedek* and *mishpat* are vastly different. *Mishpat* and *tzedek* - i.e. what *shoftim* and *shotrim* are called and empowered to administrate in the gates of Covenant cities and villages – are very, very practical. *Mishpat* and *tzedek* are primarily about the future, not the past. They are not about who did what to whom and how bad it was; they are about where we go from here, and how we as individuals and as a Covenant Community can heal and restore. Furthermore, unlike Western 'justice', *mishpat* and *tzedek* are not theoretical. They are not a matter of abstract thought, opinion, or ideology. *Mishpat* emanates from the mind of the Creator, not the mind of man. *Tzedek* flows from the Tree of Life instead of the tree of the knowledge of good and evil. Hence *mishpat* and *tzedek* are fluid, active, alive, 'real', and restorative. *Mishpat* and *tzedek* in any situation constitute simply whatever actions the combination of the Holy One's Perspective, Character, Covenant, Mercy, and Redemptive Plan require in the given situation. *Mishpat* and *tzedek* therefore are whatever the Brilliant Mind of the Bridegroom-King says it is going to take to bring optimal healing, restoration, and *shalom*.

To administer *mishpat* is so much, much more challenging – and effective - than to dispense some man's idea of 'justice'. To administer *mishpat* requires humility. To administer *mishpat* requires anyone who would be a *shofet* to surrender one's own opinions of 'fair' and 'unfair', 'right' and 'wrong', and 'good' and 'evil' to the superior wisdom of the Holy One's Will, Ways, and Redemptive Plan. What Torah tells us that the *shoftim* and *shotrim* in our gates in the land of promise will have one primary purpose - to administer the Ways of the Holy One with right/charitable justness. **Deuteronomy 16:18**. In the Hebrew text of Torah, you see, the word we translate into English as justice is *tzedek*¹¹. This word is also translated alternatively as "righteousness", and in a slightly modified form as 'charity'. Hence in the apostolic scriptures, when one hears Y'shua or Shaul or Yochanan speaking of 'righteousness', we should understand what is really being discussed is

¹¹ *Tzedek* is *tzade, dalet, kuf*. Strong's Hebrew word #6664 it is pronounced *tzeh'-dek*

tzedek.

Due to the nature and direction of both the English language and Western thought, ‘Justice’ and ‘Righteousness’ are very slippery concepts to the human mind indeed. The Greek philosopher Plato dedicated an entire classic work - “*The Republic*” - to a vain attempt to define, in an intellectual sense, the concept he, in his Greek mindset, called “justice”. Plato’s approach was unsuccessful – leaving people far more confused about the meaning of ‘justice’ after reading *The Republic* than ever. Why was this? Because *The Republic* was based upon *man’s* perspective - not the perspective of the Holy One. Man’s perspective – especially where ‘justice’ is concerned - is always *based upon limited vision* and is always *colored by self-interest*. The perspective of the Holy One, on the other hand, is neither limited nor affected by self-interest. That is why the Holy One’s thoughts are higher than our thoughts and His ways higher than our ways. Isaiah 55:9.

Rather than try to define ‘justice’ as a concept, therefore, perhaps what we need to do is try to get a sense of what *tzedek* means *Hebraically*? What is the *substance* and *essence* of *tzedek*?

So What Does ‘Tzedek’ Mean?

From a Hebraic perspective *tzedek* means simply “*what the Holy One would do.*” The Hebrew text tells us:

Tzedek! [*i.e.* What the Holy One would do to advance the covenant objective!]

Tzedek! [*i.e.* What the Holy One would do to advance the covenant objective!]

***Seek after/pursue it! So that you may live, and possess forever the land
which the Holy One your God gives you.***

[Deuteronomy 16:20]

Please note that in the instructions of Moshe, the word *tzedek* is repeated. There are, therefore, two aspects of *tzedek* that we are to pursue. Let’s talk a little about both of these aspects.

The first aspect of *tzedek* which we are to pursue involves *treating others the way the Holy One wills us to treat them*. This is a major undertaking. It requires us resist the temptation to interact with others on the basis of what we see or hear or what ‘feels right’ or seems ‘fair’ to us, and to instead *sh’ma* the Holy One, and do in relation to the person in question only *what we see the Father doing*. Wow! That is a life-changing thought. Even so, it is only half the instruction Moshe is giving us. The other part of the *tzedek* instruction is to also *receive from others* – without bitterness, unforgiveness or, for that matter, codependence – whatever treatment the Holy One wills them to give us. The point is that what is *tzedek* is not what *man* thinks is just, right, fair, and or ‘moral’ – but is simply *whatever the*

Holy One says is to necessary and appropriate to be done in the given situation. To do *tzedek* in a situation means to look beyond the immediate emotions and compassions and political forces at work on the sides of a controversy, and to focus instead on what is - and is not - *most consistent with the Holy One's long term goal for humanity and the rest of Creation.*

What then is *tzedek*? What would the Holy One do in a given situation? According to Rabbi Samson Raphael Hirsch¹², a noted 19th century sage and biblical commentator, *tzedek* refers to the Divine plan and goal for creation where every creature is entitled to receive the caring and nurturing that it needs *in order to fulfill its purpose in creation.* What a person or creature or circumstance truly needs, *viewed from the Holy One's perspective*, not man's, is what is *tzedek* in the given situation. For example, if a vine needs pruning, pruning it is *tzedek*. If a tree needs water, giving water to it is *tzedek*. If a child needs disciplining, providing discipline is *tzedek*. If a man is truly hungry, and has no means to buy food, giving him food or alms is *tzedek*. On the other hand, giving a man food when he is not starving, or alms when he is not destitute, in such a way as to demean him or cause him to become either lazy or codependent upon you, is certainly not *tzedek*. Deeds that bring us closer to the *tzedek* ideal are known as *tzedakah* – which means *dispensing to those in need exactly what they need – no more, no less.*

How do we, mere humans, know what is *tzedek*? After all, *tzedek* as we have defined it is what is needed in any given situation viewed from the Holy One's perspective. In order to discern what is *tzedek*, we as humans have to learn to resist the temptation to judge by the sight of our eyes and/or the hearing of our ears. Nor can we 'follow our heart', or 'moral outrage', or even let pity or natural feelings of compassion or revulsion guide us. What we as humans need is to have some other, more trustworthy standard to determine what a given situation calls for. We must have 'our Father's eyes'.

Coming Full Circle

Which brings us back, of course, to the *sh'ma* mandate. *Tzedek* - true "justice" - is not something we can vote on, or something we can 'reason out'. True 'justice' is not the product of even the best, brightest human minds. True 'justice' is not the product, either, of *human compassion*. What true justice really is nothing short of pure, unadulterated *Messianic light*. True justice is *the essence of Messiah's personality*. It is that which separates light from darkness. In pursuing *tzedek*, *tzedek* therefore what we are really pursuing is *Messiah* – or at least what Shaul of Tarsus calls 'the mind of Messiah' in I Corinthians 2:15-16:

¹² See Rabbi Hirsch's Commentary on Genesis 15:6.

*“ ... **he that is spiritual judges** [i.e. acts as **shofet** with regard to] **all things,**
yet he himself is judged of no man.
For who has known the mind of the Holy One, that he may instruct him?
But we have the mind of Messiah”.*
[I Corinthians 2:15-16]

See also Philippians 2:5, where Shaul exhorts us: *“**Let this mind be in you, which was also in Messiah Y’shua.**”* And see Hebrews 10:16, where the writer of that letter quotes the Holy One as promising:

*“**This [is] the covenant that I will make with them after those days, says the Holy One, I will put my torot into their hearts, and in their minds will I write them.**”*

Questions for Today’s Study

1. Moshe tells the Israelites that He will give them two types of governmental leaders when they have settled in their towns.

[A] What two types of leaders was He going to give them?

[B] What were to be the respective duties of these two types of leaders? [See Strong’s Hebrew Word #s 8199 and 7860]

2. What three things are these two types of leaders NOT to do?

3. If a dispute or a question needing resolution could not be resolved by these officials in the towns where the Israelites settled, how was the dispute/question to be settled?

4. Isaiah 51:1-8, which provides the immediate background for this week’s haftarah, stresses the theme ***tzedek*** [i.e. that “justice” and “righteousness” always consist solely of what the Holy One would do if faced with the specific situation or controversy] as the building block of both interpersonal relations and national governance. See, for instance, verse 7: *“**Sh’ma, you who know righteousness [tzedek], the people in whose heart is my Torah; don’t fear the reproach of men, neither be dismayed at their insults.**”* This is *wise counsel*. Take it to heart as this week begins.

In our assigned verses for today the Holy One addresses the situation - not unlike today - where a nation and its religious system is not built upon Torah justice and righteousness, but upon what seems ‘right’ to man:

***I, even I, am He who comforts you:
who are you, that you are afraid of man who shall die,
and of the son of man who shall be made as grass;
and have forgotten the Holy One your Maker,
who stretched forth the heavens, and laid the foundations of the eretz;
and fear continually all the day because of the fury of the oppressor,
when he makes ready to destroy? And where is the fury of the oppressor?***

*The captive exile shall speedily be freed;
and he shall not die [and go down] into the pit, neither shall his bread fail.*

*For I am the Holy One your God, who stirs up the sea,
so that the waves of it roar: the Holy One of Hosts is his name.
I have put my words in your mouth,
and have covered you in the shadow of my hand,
that I may plant the heavens, and lay the foundations of the eretz,
and tell Tziyon, You are My people.*

[A] To whom is the Holy One speaking in Isaiah 51:12-16 [Hint: look back at 51:1, 4, 7, and 11]?

[B] Notice that in verses 12 and 13 the Holy One asks “*who are you...*”. Why do you think He asks that - doesn’t He know?

[C] What does the Holy One say in verse 16 that He is going to do?

5. In this week’s reading from the apostolic scriptures we find ourselves in the Jordan River Valley. While there we will witness a fascinating encounter between Yochanan the Immerser [John the Baptist] and a delegation of religious leaders who could not understand or appreciate what Yochanan could possibly be doing declaring the Word of the Holy One ‘outside the system’, knee deep in muddy water. The delegates of organized religion demand to know of Yochanan just who he thinks he is and what he thinks he is doing calling people to *mikveh* outside the ‘system’.

[A] What two groups of people asked the question, and who sent them?

[B] Look up the references to these people in the Jewish New Testament commentary, and write a description of the two groups sent to John and the group which sent them.

[C] Yochanan [John] said he was not the “Messiah”. Look up the notes to the term “Messiah” in the Jewish New Testament Commentary and write what you think those asking the question meant by “Messiah”.

[D] Note however that in verses 7-8 we are told the Yochanan ‘*came as a witness to the Light, to testify concerning that Light*’. He himself was not the Light; he came only as a witness to the Light.” Considering the discussion of the Hebrew noun *shofet* in today’s commentary, do you think Yochanan was a Biblical *shofet*? Explain your answer, and write a short essay on what this says to you about Yochanan’s *function* and *significance*?

*May you always pursue justice with the passion of the Holy One,
and may you be a defender of His Torah in the gates of your city.*

***The Rabbi’s son
Meditation for Today’s Study
Psalm 94:1-11***

*O Holy One, God - You to whom vengeance belongs,
Yes, You, God, to whom vengeance belongs, **shine forth!**
Rise up, you Judge of the eretz. pay back the proud what they deserve.
O Holy One, how long will the wicked triumph?
Yes, how long indeed will the wicked triumph?*

*They pour out arrogant words.
All the evildoers boast.
They break your people in pieces, O Holy One,
and afflict your heritage.
They kill the widow and the alien, and murder the fatherless.
They say, "**The Holy One will not see, neither will Ya`akov's God consider.**"*

*Consider, you senseless among the people;
You fools, when will you be wise? He who implanted the ear, won't he hear?
He who formed the eye, won't he see?
He who disciplines the nations, won't he punish?
He who teaches man knows.
The Holy One knows the thoughts of man, that they are futile.*