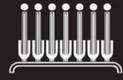




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# Good Shabbos SYDENHAM!



26 Aug 2017 Parshas Shoftim 4 Elul 5777

## Here Comes the Judge

by: Rabbi Yossy Goldman

Don't be judgmental. Unless, of course you happen to be a judge. Then it's your job.

This week's parshah, *Shoftim* (Deuteronomy 16:18-21:9), lists the Biblical command for judges to be appointed in every city and town to adjudicate and maintain a just, ordered, civil society. Interestingly, it occurs in the first week of Elul, the month in which we are to prepare in earnest for the Days of Judgment ahead, Rosh Hashanah and Yom Kippur.

There are, however, some significant differences between earthly judges of flesh and blood and the Heavenly Judge. In the earthly court, if, after a fair trial, a defendant is found guilty, then there's really not much room for clemency on the part of the judge. The law is the law and must take its course. The accused may shed rivers of tears, but no human judge can be certain if his remorse is genuine. His feelings of regret are touching but of limited legal consequence. After all, a human judge may only make a decision based on "what the eye can see." The misdeed was seen to have been committed. The remorse, who knows? Perhaps he's a good actor and is only acting contrite. The Supreme Judge, however, *does* know whether the accused genuinely regrets his actions or is merely putting on an act. Therefore, He alone is able to forgive. That is why in heavenly judgments, *teshuvah* (repentance) is effective.

The Maharal of Prague gave another reason. Only G-d is able to judge the whole person. Every one of us has good and bad to some extent. Even those who have sinned may

have many other good deeds that outweigh the bad ones. Perhaps even one good deed was of such major significance that it alone could serve as a weighty counterbalance. The point is, only G-d knows. Only He can judge the individual in the context of his whole life and all his deeds, good and bad.

Our goal is to emulate the Heavenly Court. We should try to look at the totality of the person. You think he is bad, but is he all bad? Does he have no redeeming virtues? Surely, he must have some good in him as well. Look at the whole person.

A teacher once conducted an experiment. He held up a white plate and showed it to the class. In the center of the plate was a small black spot. He then asked the class to describe what they saw. One student said he saw a black spot. Another said it must be a target for shooting practice. A third suggested that the plate was dirty or damaged. Whereupon the teacher asked, "Doesn't anyone see a white plate?"

There may have been a small black spot but, essentially, it was a white plate. Why do we only see the dirt? Let us learn to find the good in others. Nobody is perfect, not even ourselves. Let's not be so judgmental and critical. Let's try to see the good in others.

## Parsha Pointers

*Shoftim*: Artscroll Chumash pg 1024;  
Living Torah pg 949

Moses instructs the people of Israel to appoint judges and law-enforcement officers in every city. "Justice, justice shall you pursue," he com-

## What's Nu?!

The Battie Girl  
Tali Lieb

Mazal Tov to Elan & Nicky Lieb and grandfathers Jeff Lieb and David Malka.

## Calendar

- ◆ Shacharis 8:30 am; Shtibl 8:45 am
- ◆ **Ladies Shabbos Shmooz** with Estee: 10am
- ◆ Shul Brocha in the Seeff Hall.
- ◆ **Sushi & Black Label Farbrengen.**
- ◆ Report Back from Israel by Ben Atie and Natanya Porter following their Hadracha Israel Tour.
- ◆ Mincha: 5:15 pm
- ◆ Pirkei Avos: Chapter 1 & 2
- ◆ Shabbos ends: 6:24 pm
- ◆ Mincha next week 5:40 pm
- ◆ Shofar and Psalm 27 daily

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ing the night, freezing cold, on the doorstep. When morning came, the student finally let the person in.

The disciple explained that he had come to find out how to control his temptations. The student explained to him "you see how I kept you waiting all night? This is my house -- I decide when you come in, not you..."

"This is how to control your animal nature -- make sure that whatever comes in, does so because you wanted to let it, rather than sneaking in on its terms."

The story may be a little harsh but the message is clear. Yes, Ethics of our Fathers tells us "Who is wise? One who learns from every person" but we still need to be discerning about what we will and will not take "on board." Something which accepts from everyone and anyone all around, is called a trash can -- not something we particularly want to emulate!

## Live & Laugh Shabbos Desecration

Sadie Cohen lived in a diverse neighborhood on Long Island. Her neighbor was a very generous black woman who stopped in one Saturday and asked, "Mrs. Cohen, I have to go into the City this afternoon to meet my daughter; can I get you anything?"

Mrs. Cohen thanked her and exclaimed, "Listen, I have a commuter ticket for the train that I don't use on Saturday. Why don't you use my ticket and you'll bring it back tonight. After all, it's all paid for. Why should you pay extra?"

The neighbor thanked her, and later got on the train. As the conductor came through the train, he happened to glance at the ticket and noticed the name "Sadie Cohen."

"Excuse me madam, are you Sadie Cohen, the person whose name appears on this ticket?"

The woman smiled sweetly and shook her head affirmatively. A little suspicious, the conductor asked, "Would you let me compare signatures— would you please sign your name?"

The black lady turned indignantly and snapped, "Man, are you crazy? You want me to write on Shabbos?"

mands them, and you must administer it without corruption or favoritism. Crimes must be meticulously investigated and evidence thoroughly examined—a minimum of two credible witnesses is required for conviction and punishment.

In every generation, says Moses, there will be those entrusted with the task of interpreting and applying the laws of the Torah. “According to the law that they will teach you, and the judgment they will instruct you, you shall do; you shall not turn away from the thing that they say to you, to the right nor to the left.”

Shoftim also includes the prohibitions against idolatry and sorcery, laws governing the appointment and behavior of a king; and guidelines for the creation of “cities of refuge” for the inadvertent murderer. Also set forth are many of the rules of war: the exemption from battle for one who has just built a home, planted a vineyard, married, or is “afraid and soft-hearted”; the requirement to offer terms of peace before attacking a city, the prohibition against wanton destruction of something of value, exemplified by the law that forbids to cut down a fruit tree when laying siege (in this context the Torah makes the famous statement, “For man is a tree of the field”).

The Parshah concludes with the law of the *eqlah arufah*—the special procedure to be followed when a person is killed by an unknown murderer and his body is found in a field—which underscores the responsibility of the community and its leaders not only for what they do, but also for what they might have prevented from being done.

## What You Obviously Don't Know

By Rabbi Yanki Tauber

The incident I'm going to tell you about occurred more than ten years ago, but hardly a week goes by in which I don't think about it.

I had popped into a Jerusalem synagogue for *minchah* (afternoon prayers). A few rows in front of me there was this man, sitting

with his four kids. The fellow in front of him had his arm over the back of the bench, and the fellow behind him was also disturbing him in some way. He kept snapping at his kids. What a jerk, I thought to myself. Ok, you're nervous, you're rude, that's fine, there are lots of nervous and rude people in these stress-ridden times, but does the whole world have to know it?

I'm really a live-and-let-live kind of guy, but this fellow was impossible to ignore. His ill-will and discontent filled the room. Yes, I thought, your kids are a rowdy bunch, but do you have to yell at them all the time? Why don't you leave them home if they get on your nerves so much?

At the conclusion of the service, his four kids--the twelve-year old, the nine-year old, the eight-year old and the six-year old--stood in a row and recited the mourner's *kaddish*. What a jerk, I muttered--meaning myself of course--my face hot with shame.

Since there's so much that we'll never know about another person, any attempt to pass judgement on him or her seems doomed to failure. In the words of the Talmud, "Do not judge your fellow until you have reached his place." What the Talmud is really saying, I suspect, is, "Don't judge your fellow, ever," since "his place" is a place where you can never truly be.

The problem, however, is that there are times and circumstances in which we have to judge others, or at least appoint people to do the job for us. We call these people "judges," and without them, no society could function.

Indeed the Torah instructs, "Judges and officers you shall appoint in all your [city] gates." But the Torah also sets down numerous rules and regulations which delimit the judge's power to judge, and ensure that when he does judge, he does so with utmost caution and sensitivity.

A case in point is the law of the "indefensible criminal." This is how it works:

Under Torah law, capital crimes are tried by a

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tribunal of 23 judges called a "Minor Sanhedrin." After hearing the testimony of the witnesses, the judges themselves would split into two groups: those inclined to argue for the acquittal of the accused would serve as his "defense team" and seek to convince their colleagues of his innocence; those inclined to convict would make the case for his guilt. Then the judges would vote. A majority of one was sufficient to exonerate, while a majority of two was necessary to convict.

But what if all twenty-three judges form an initial opinion of guilt? What if the evidence is so compelling and the crime so heinous that not a single member of the tribunal chooses to argue in the accused's favor? In such a case, says Torah law, the accused cannot be convicted and must be exonerated by the court.

The Lubavitcher Rebbe explains the rationale behind this law as follows: No man is so utterly evil that there is nothing to be said in his defense. There is always some explanation, some justification, some perspective from which the underlying goodness of his soul can be glimpsed. This does not mean that he is going to be found innocent, in the legal sense, by a court of law: at times the "mitigating circumstances" result in a verdict of acquittal; at times, they do not. But if not a single member of the court perceives the "innocent side" of the person standing accused before them, this a court that obviously has very little understanding of who he is and what has done. Such a court has disqualified itself from passing judgement on him.

But that's a lesson for judges. The rest of us have neither need or cause to pass judgement on anyone. Which is fortunate, because there's so much that we don't know.

## Guarding the Gates

By Rabbi Mordechai Wollenberg

This week's Torah reading, as its name (*Shoftim*--"Judges") suggests, instructs us regarding judges and justice. Like everything else in the Torah, however, these ideas are reflected within the human psyche and can be applied to each and every one of us.

The story is told that when the modern State of Israel was set up in 1948, there was a proposal to try to create a *Sanhedrin*, the court of Sages which decided Jewish law in ancient times. There

was concern as to where they would find 70 individuals who were not susceptible to bribery and corruption.

"Don't worry", somebody noted, "for money you can find anything!"

Unfortunately, bribery and corruption are rife. The Torah warns us how bribery "blinds the eyes of the wise and perverts the words of the righteous."

We do not need to look so far to find bribery within our own lives. The human intellect is a fine thing which can come up with very rational and logical deductions, based on sound reasoning. The problem is, the data for the intellectual process is fed through a very subjective filter, namely our senses and emotions. As such, we are very susceptible to temptation and to misleading impressions. The "evil inclination" (*Yetzer Hora*) is well aware of this and will attempt to bribe us into thinking a particular idea or course of action is good for us when in reality this may well not be the case.

All very well, you may ask, but how do we avoid such bribery? The Torah tells us, in the very first words of this week's Torah portion to "place judges and officers over your gates." A gate is something which allows us to control who or what passes through it. Our senses are also "gates" to ourselves -- we have to be discerning in what passes through our eyes, ears, nose etc. to avoid being blinded by false impressions and ideas. By safeguarding our "gates" and controlling what we allow to enter through them, we are far less vulnerable to the false claims of the evil inclination.

As anyone who ever had an unwanted guest will attest, it is a lot harder to get rid of somebody once they have their foot in the door, let alone their entire being, than to shut them out before they have a chance to enter.

The story is told of a disciple who came to his Rabbi asking for advice on how to conquer his temptations. The Rabbi told him to go visit a certain student in a certain place.

Having reached the student's house, on the edge of the town, the disciple knocked on the door. He waited until late into the night yet there was still no answer. He ended up spend-