

The overarching message of this short parashah is the principle of ensuring justice for everyone. Introduced shortly after the Israelites had received the Commandments and repeated more than once, it is now reiterated in conjunction with creating a judicial system to function as one of three separate branches of government. “You shall not pervert justice; you shall not show favoritism, and you shall not take a bribe, for bribery blinds the eyes of the wise and perverts just words.” (16:19) This verse is followed by: “*tzedek, tzedek tirdof* – Justice, justice shall you pursue, that you may live and possess the land the Lord, your God, is giving you.” (16:20) The root צדק forms words such as *hatzdakah* (justification), *tzadik* (righteous/righteous person), and *tz’dakah* (mandatory donations to support the needy). Indeed, unlike the word *charity*, which derives from the Latin *caritas* (benevolence/love,) *tz’dakah* is a *mitzvah* obligating us all to contribute toward the welfare of the less fortunate. After using the words *eikev* and *re’eh* to stress overarching concepts the Israelites must understand, Moses employs the equally eloquent rhetorical tool of word repetition to emphasize the importance of strict judicial impartiality. Over the centuries, this particular repetition has inspired a wide variety of opinions. Third century CE Talmud sage Resh Lakish taught that it admonishes us to view each new case slowly, weighing all the evidence more than once before arriving at a conclusion. It is noteworthy that Jewish law requires a *beit din* to wait until the following day to deliver a guilty verdict. A century later Rabbi Hiyya taught that the pursuit of justice is the responsibility not only of the courts, but also of each individual. Tractate Sanhedrin 32b teaches: “One mention of justice is with regard to judgment and one with regard to compromise.” For Maimonides it alludes to the necessity of gathering as many opinions as possible before arriving at a decision. 12th century rabbi Bakhya ben Asher taught that justice must prevail regardless of whether one wins or loses, or whether one is a Jew or a Gentile. And rabbi Yaakov Yitzchak of Peshischa (1766-1813) believed that the repetition signifies that the end does not justify the means: “The pursuit of justice must also be done justly, unblemished by invalid means, with lies and surreptitiousness as some permit themselves under the flag of the worthy cause.” Timely words that still resonate loudly in far too many parts of the world. Raised in the predominantly Scandinavian-Yugoslavian world of the northern Minnesota Iron Range, I was only dimly aware of the struggles of Black Americans until I entered university during the peak of the civil rights movement. Once I began to learn more, I found myself mentally adding the words “white, Protestant, Anglo-Saxon males” to the final line of our Pledge of Allegiance, “with liberty and justice for all,” something I still occasionally feel compelled to do. Supreme Court Justice Ruth Bader Ginsburg z”l, who had a poster on her office wall with the words *tzedek, tzedek tirdof*, would be appalled at the flagrant disregard some of her colleagues show for the ideal those words express. Viewed in all their fullness, they actually encapsulate the antidote to the three admonitions of the preceding verse. Perverting justice, showing favoritism, and taking bribes are the antithesis of *tzedek*. Referring to verse 16:19 in a long discussion on bribes, Talmud Tractate Ketubot 105b teaches, “Even if he were very wise but took a bribe, he will not leave this world without suffering blindness of the heart ... even if he is completely righteous but took a bribe, he will not leave this world without becoming demented. ... A person should not judge a case involving one whom he loves, as he will not find any fault in him, and not judge a case involving one whom he hates, as he will not find any merit in him.” The sages then present a number of examples of a judge recusing himself because of the tiniest hint of bribery. Things as trivial as accepting help from a litigant when debarking from a ferryboat, or allowing a litigant to brush away a feather that had fallen on his head are cited, along with: “The sharecropper of Rabbi Yishmael bar Rabbi Yosei was accustomed to bringing him a basket of fruit every Shabbat eve. One day he brought them to him on a Thursday. ... The sharecropper said: I have a case to present before you today, when the court is in session. Rabbi Yishmael did not accept the fruits from him, and he said to him: I am disqualified from presiding over your case.” Alas, we know that this high ideal is all too seldom upheld, even in countries that pride themselves on having judicial systems based on “biblical precepts.” Judicial integrity is constantly being challenged by people touting their noble and ignoble causes with the persuasive power of “small favors” ranging from tickets to concerts and sports events to gifts and invitations from wealthy people. It is often difficult to know when one has crossed the ethical line, and even more difficult to extricate oneself after having done so. As we enter the month of Elul and begin to take stock of our behavior during the past year, it might be useful to apply the first iteration of *tzedek* to ourselves, and the second to others. After all, if we can’t judge ourselves fairly, how can we judge others fairly? We must sincerely acknowledge our failings and strive to make amends, but if we judge ourselves too harshly, repentance and change are impossible. As we affirm in the preface to the Yom Kippur confessional, we are not so brazen as to call ourselves *tzadikim*. Instead, we learn from our mistakes and try to do better next time, continuing to pursue justice not only for our own people, but for all inhabitants of the world. No, we’re not *tzadikim*, but our observing the *mitzvah* of *tzedek / tz’dakah* is one of the main reasons Judaism has endured throughout the ages.

Shabbat shalom and chodesh tov!