

Discourse 42

“Shofteem v’Shotreem... - Judges and officers...”

Delivered on Shabbat Parshat Shofteem,

4th of Elul, 5727

By the grace of *HaShem*, blessed is He,

1.

The verse states,¹³⁰⁴ “Judges and officers shall you appoint for yourself in all your gates... and they shall judge the people with righteous judgment.” It states in Midrash Rabbah “To what is this comparable? To a king who had many children, and he loved the youngest more of the rest of them. He had a certain orchard that he liked more than all his possessions. The king said, ‘I will give this orchard that I like more than all my possessions, to my youngest son, whom I love more than all my children.’ So too, the Holy One, blessed is He, said, ‘From all the nations that I created, I love only Israel, as the verse states,¹³⁰⁵ ‘When Israel was a lad, I loved him.’ From everything that I created, I love only justice, as the verse states,¹³⁰⁶ ‘For I am *HaShem*-יהוה who loves justice.’ The Holy One, blessed is He, said, ‘What I love I am giving to the people that I love.’” The Midrash there concludes, “The Holy One,

¹³⁰⁴ Deuteronomy 16:18

¹³⁰⁵ Hosea 11:1

¹³⁰⁶ Isaiah 61:8

blessed is He said [of Israel], ‘In the merit of justice, I am manifesting my Indwelling Presence (*Shechinah*) within them,¹³⁰⁷ as the verse states,¹³⁰⁸ ‘*HaShem* of Legions-*HaShem Tzva*’ *ot*-תִּצְוֵהוּ צְבָאוֹת will be exalted through judgment, and the Holy God will be sanctified through justice.’ In the merit of justice, I will redeem you with a complete redemption, as the verse states,¹³⁰⁹ ‘Observe justice and perform righteousness, for My salvation is soon to come etc.’”

Now, we must understand¹³¹⁰ what the relationship is between [the verse], “When Israel was a lad, I loved him,” and “I am giving justice to Israel who is a lad etc.,” indicating immaturity (*Katnut*)? At first glance, is it not so that an adult (*Gadol*) is more important?

We also must understand the meaning of, “In the merit of justice, I am manifesting my Indwelling Presence (*Shechinah*) etc.,” and “In the merit of justice, I will redeem you with a complete redemption.” At first glance, what connection is there between these two matters?¹³¹¹

¹³⁰⁷ This is as quoted at the beginning of the discourse entitled “*Shofteem v’Shotreem*” 5672 (*Hemshech* 5672 Vol. 1, p. 94). In Midrash Rabbah *ibid.* it states, “[The Holy One, blessed is He, said to Israel: ‘My children, by your lives,] in the merit of your preserving justice I am exalted. From where is this derived? As it states, ‘*HaShem* of Legions will become exalted through judgment.’ Through your exalting me in judgment, I too shall perform righteousness and rest My sanctity in your midst. From where is this derived? As it states, ‘and the Holy God will be sanctified through justice.’ If you safeguard both righteousness and judgment, I will immediately redeem you with a complete redemption etc.”

¹³⁰⁸ Isaiah 5:16

¹³⁰⁹ Isaiah 56:1

¹³¹⁰ See the beginning of the discourse entitled “*Shofteem v’Shotreem*” *ibid.*

¹³¹¹ Also see Likkutei Sichot Vol. 29 p. 95 and on.

2.

Now, to understand this, we must first explain [the verse], “Judges and officers shall you appoint for yourself etc.,” as it is in our service of *HaShem*-יהו"ה, blessed is He. To preface, even though [the verse], “Judges and officers shall you appoint for yourself etc.,” is a positive *mitzvah* of the Torah, (which is incumbent upon the community)¹³¹² “to appoint judges and officers in each and every country and in each and every region,”¹³¹³ “in each and every city”¹³¹⁴ and “each and every tribe,”¹³¹⁵ which also includes appointing the [high court of the] Sanhedrin, this being a *mitzvah* that is in effect when the Holy Temple is standing, and only in the land of Israel,¹³¹⁶ nevertheless, even after the Sanhedrin was nullified, and even in the time of the exile, and outside of the land of Israel, the [*mitzvah* of] “Judges and officers shall you appoint for yourself etc.,” is in affect, at least as it is spiritually, in our service of *HaShem*-יהו"ה, blessed is He.

This is also the reason for the precise wording of the verse in stating, “Judges and officers shall you appoint **for yourself-*Lecha*-לך**” in the singular. That is, this matter relates to every single Jew as an individual, at all times (including the time of exile) and in all places (even outside the land of Israel).

¹³¹² Chinuch Mitzvah 491

¹³¹³ Mishneh Torah, Sanhedrin 1:1

¹³¹⁴ Rashi to Talmud Bavli, Sanhedrin 16b

¹³¹⁵ Sifri to the beginning of the Torah portion of Shotim.

¹³¹⁶ With respect to the views regarding this, see Encyclopedia Talmudit, Section on “*Beit Din*” p. 151.

This is explained in Ohr HaTorah on this week's Torah portion,¹³¹⁷ that there are two explanations of the words, "in all your gates-*BeKhol She'arecha* שְׁעָרֶיךָ." To explain, the commentary of Sha"ch on the Torah states that "all your gates" refers to the eyes, the ears, the mouth, the hands, and the feet. We thus find that he explains that "your gates-*She'arecha* שְׁעָרֶיךָ" refers to all the limbs.

However, Sefer Yetzirah states,¹³¹⁸ "The seven doubled [letters]... the gates of the soul." The Ra'avad explains¹³¹⁹ that from the seven doubled [letters], the seven orbiting planets receive etc., and from them the seven gates in man receive, these being the two eyes, the two ears, the two nostrils and the mouth. This is also expressly stated later in Sefer Yetzirah itself.¹³²⁰

These seven gates are the four matters of seeing, hearing, smelling, and speaking, corresponding to the four letters of the Name *HaShem* יהו"ה.¹³²¹ The eyes and ears (seeing and hearing) correspond to Wisdom-*Chochmah* and Understanding-*Binah*, the nose (smelling) corresponds to *Zeir Anpin* or Splendor-*Tiferet*, which includes all of *Zeir Anpin*, and the mouth (speaking) corresponds to Kingship-*Malchut*.

¹³¹⁷ Ohr HaTorah, Shoftim p. 822, p. 832; Also see the discourse entitled "*Shofteem v'Shotreem*" 5675 (*Hemshech* 5672 Vol. 2 p. 1,107).

¹³¹⁸ Sefer Yetzirah 4:4

¹³¹⁹ In his commentary to Sefer Yetzirah there.

¹³²⁰ Sefer Yetzirah 4:12

¹³²¹ Zohar III 229b; Tikkunei Zohar, Tikkun 70 (122a); Also see the glosses of the Tzemach Tzedek to the discourse entitled "*Yehudah Atah*" – Ohr HaTorah, Bereishit Vol. 8 p. 999b (cited in Ohr HaTorah Shoftim ibid.), citing Etz Chayim, Shaar Ozen Chotem Peh, Ch. 1; Reishit Chochmah, Shaar HaKedushah, Ch. 8.

Now, since the above-mentioned seven gates receive from the seven doubled [letters], therefore these seven gates are also doubled. That is, they are [present] both in the Godly soul and in the animalistic soul.

There also is the doubling of the seven gates in the Godly soul itself, this being the fact that in each one of the four matters; seeing, hearing, smelling, and speaking, there is a “running” (*Ratzo*) and “returning” (*Shov*). This is as stated in Tikkunei Zohar,¹³²² “The seven orbiting planets are the seven doubled [letters]... and with them ‘the *Chayot* angels run and return,’¹³²³ ‘running-*Ratzo*-רצוא’ is with the hard [enunciation of the letter] (*Dagesh*) and ‘returning-*Shov*-שוב’ is with the soft [enunciation of the letter] (*Rafeh*) etc.”

In other words, both are on the side of holiness, only that within holiness itself, they are two lines and modes, like Beit Shammai and Beit Hillel. For, Beit Shammai is on the line of *Might-Gevurah*, and Beit Hillel is on the line of *Kindness-Chessed*,¹³²⁴ and both are on the side of holiness. Therefore, even after the Torah law (*Halachah*) is ruled in accordance with Beit Hillel, there are matters in which the law (*Halachah*) is in accordance with Beit Shammai, as stated in Mishnah, Tractate Eduyot.¹³²⁵

The same is so of the seven gates, these being the four matters of seeing, hearing, smelling, and speaking, in that they have two manners, *Kindness-Chessed* and *Might-Gevurah*,

¹³²² Tikkunei Zohar, Tikkun 70 ibid. (128b)

¹³²³ Ezekiel 1:14

¹³²⁴ See the introduction to Tanya; Iggeret HaKodesh, Epistle 13; See Zohar III 245a and elsewhere.

¹³²⁵ Mishnah Eduyot 1:12-14

these being the matters of “running-*Ratzo*” and “returning-*Shov*,” hard [enunciation of the letter] (*Dagesh*) and soft [enunciation of the letter] (*Rafeh*), in which the hard [enunciation] (*Dagesh*) indicates Might-*Gevurah* and the soft [enunciation] (*Rafeh*) indicates Kindness-*Chessed*.¹³²⁶

This then, is the meaning of, “Judges and officers shall you appoint for yourself in all your gates.” Judges (*Shofteem*-שופטים) refers to the matter of judgment (*Mishpat*-משפט), in that a person must judge himself and determine how his conduct should be “in all your gates,” meaning, in the seven gates, these being the four matters of seeing, hearing, smelling, and speaking, and similarly in all 248 רמ"ח limbs of the body.¹³²⁷

In other words, since the evil inclination is a master of his craft,¹³²⁸ in enticing a person to do the opposite of *HaShem*’s יהו"ה Supernal will, Heaven forbid, as in the known saying of the Tzemach Tzeddek,¹³²⁹ that at times, the evil inclination garbs himself in a cloak of holiness, in “a silk frockcoat.” Therefore, a person must judge, discern, and clarify everything, to determine whether it is from the side of holiness or the opposite.

After this, there also must be the matter of “officers-*Shotreem*” שוטרים. For, just as it is in judgment in the literal sense, that first there are judges who render the verdict of the

¹³²⁶ See Pardes Rimonim, Shaar 29, Ch. 4; Ohr HaTorah, Yitro p. 2,687 and on.

¹³²⁷ Also see Ohr HaTorah *ibid.*; Also see the end of the discourse entitled “*Shoftim v’Shotrim*” 5672 (*Hemshech* 5672 Vol. 1 p. 103).

¹³²⁸ See Talmud Bavli, Shabbat 105b; Also see Sefer HaMaamarim 5692 p. 250; Sefer HaSichot 5690 p. 119; 5707 p. 113.

¹³²⁹ See Igrot Kodesh of the Rebbe Rayatz, Vol. 4 p. 67 (copied in HaYom Yom 23 Sivan); Vol. 10 p. 394; Sefer HaSichot 5685 p. 83.

law, and then there are the officers who “chastise the people... until they accept the verdict of the judge,”¹³³⁰ the same is so in one’s service of *HaShem*-יהו"ה, blessed is He.

That is, in addition to the function of the judges (*Shofteem*-שופטים) which is the matter of intellect (*Mochin*), these being the three aspects of Wisdom-*Chochmah*, Understanding-*Binah*, and Knowledge-*Da'at*, there also must be the function of the officers (*Shotreem*-שוטרים), these being the seven emotions (*Midot*) by which there is a drawing down into thought, speech, and actual deed.

We thus find that the general matter of [the verse], “Judges and officers shall you appoint for yourself,” is the matter of drawing the intellect (*Mochin*) down into the emotions (*Midot*), until there is a drawing down into actual deed.

This is similar to the service of counting of the Omer (*Sefirat HaOmer*), which is the matter of drawing down the intellect (*Mochin*) into the emotions (*Midot*),¹³³¹ which is why we count seven weeks corresponding to the seven emotions (*Midot*), through which the preparation for receiving the Torah comes about.

The same is so of the two matters, judges (*Shofteem*-שופטים) and officers (*Shotreem*-שוטרים), in that they are like the two matters of “We will do” (*Na'aseh*) and “We will listen” (*Nishmah*) said at the giving of the Torah. In other words, the matter of judges (*Shofteem*-שופטים) is “We will listen” (*Nishmah*), which is the matter of understanding and

¹³³⁰ Rashi to Deuteronomy 16:18

¹³³¹ Maamarei Admor HaZaken, Hanachot HaRav Pinchas p. 55 and on; Ohr HaTorah, Emor Vol. 2 p. 584 and on; Sefer HaMaamarim 5692 p. 357 and on.

comprehension, and the matter of “We will do” (*Na’aseh*), which is the actual deed (*Ma’aseh*-מעשה), also includes the word “*Ma’aseh*-מעשה” which indicates force¹³³² (similar to officers in the literal sense).

4.

On a deeper level, the matter of judges (“We will listen”) is not just an introduction and preparation for actual deed (“We will do”), but there rather is a superiority to the matter of justice (*Mishpat*-משפט) in and of itself. This is so much so, that the Holy One, blessed is He, says, “From everything that I created, I love only justice, as the verse states, ‘For I am *HaShem*-יהו"ה who loves justice (*Mishpat*-משפט).’”

The explanation is that justice (*Mishpat*-משפט), which is the understanding and comprehension of the intellect (“We will listen”) is specifically related to the division [of matters] into particulars. For example, in the matter of justice in the literal sense, for the judge to render a truthful and true judgment,¹³³³ he must hear all the details of the arguments [of the litigants] etc., including false arguments.

Moreover, he must place himself into the state and standing of each litigant, as our sages, of blessed memory, said,¹³³⁴ “Do not judge your fellow until you have reached his place.” In other words, only when he puts himself into the state and standing of his fellow, can he truly render a true judgement,

¹³³² See Maamarei Admor HaEmtza’ee, Vayikra Vol. 2 p. 761 and on; Sefer HaMaamarim 5678 p. 121; p. 124 and on; and elsewhere.

¹³³³ See Talmud Bavli, Shabbat 10a

¹³³⁴ Mishnah Avot 2:4; See Tanya, Likkutei Amarim, Ch. 30

and in a way that “*HaShem*-יהו"ה is with him,”¹³³⁵ [meaning] that,¹³³⁶ “the law (*Halachah*) is according to him.”

As known,¹³³⁷ there is an element of superiority in service of *HaShem*-יהו"ה, blessed is He, that comes with division into the particulars, this being specifically the matter of innerness (*Pnimityut*). For, through this we reach even higher than the encompassing aspect (*Makif*) and even higher than the innerness and essence of the encompassing aspect (*Makif*), all the way to the aspect of the Essential Self of *HaShem*-יהו"ה, blessed is He. This is also why the revelation of His Essential Self is in the ten *Sefirot*, which specifically are in a way of division.¹³³⁸

This is also like the matter of “We will do” (*Na’aseh*). For, in addition to the general matter of accepting the yoke that must be present at the beginning of serving *HaShem*-יהו"ה, blessed is He – [this being the general matter of according precedence to “We will do” (*Na’aseh*) over “We will listen” (*Nishma*), as stated in Midrash,¹³³⁹ “This is analogous to a king of flesh and blood who came to a land, and his servants said to him, ‘make decrees upon us.’ He said to them, ‘When they accept my kingship upon themselves, then I will make decrees upon them.’” The same is so of serving *HaShem*-יהו"ה, blessed is He, in general, and this likewise is so of serving Him every day.

¹³³⁵ Samuel I 16:18

¹³³⁶ Talmud Bavli, Sanhedrin 93b; See Sefer HaMaamarim 5627 p. 282; p. 291; *Hemshech* 5666 p. 431.

¹³³⁷ Also see the discourse entitled “*Vayedaber... Anochi*” of the second day of Shavuot 5728, Ch. 8 (Torat Menachem, Sefer HaMaamarim Sivan p. 331 and on).

¹³³⁸ Also see the end of the discourse entitled “*Shofteem v’Shotreem*” 5672 *ibid*.

¹³³⁹ Mechilta Yitro 20:3

This is as our sages, of blessed memory, stated,¹³⁴⁰ “Why did the portion of ‘*Shema*’ precede the portion of ‘*Vehayah eem Shamo’ah*’? So that one will first accept the yoke of the kingdom of Heaven upon himself, and only then accept the yoke of the *mitzvot* upon himself.”] – there also must be the fulfillment of all the particular *mitzvot*.

That is, even though *HaShem*’s-יהו"ה Supernal will transcends the particulars, nonetheless, the drawing down of His desire (*Ratzon*) is specifically through the particulars. Therefore, every particular in the fulfillment of the *mitzvot* in deed, is of relevance, being that every particular is of relevance in His desire, blessed is He.¹³⁴¹ This is why the drawing down of the essence is specifically in the particulars.

The same is so of the devotional intentions (*Kavanot*) of the *mitzvot*, that there must not only be the general intention that is in all *mitzvot* equally, in that they all are *HaShem*’s-יהו"ה Supernal will which transcends division, but there also must be the particular intention of each *mitzvah*.

This is because of the matter of pleasure (*Taanug*) (which is the innerness (*Pnimitiyut*) of *HaShem*’s-יהו"ה Supernal desire (*Ratzon HaElyon*) in the *mitzvot*), in that “the Holy One, blessed is He, lusted for a dwelling place for Himself in the lower worlds,”¹³⁴² specifying “He lusted-*Nitaveh*-נִתְאַוֶּה,” refers to the pleasure (*Taanug*) drawn down in each particular *mitzvot*, such that every *mitzvah* has a particular pleasure (*Taanug*)

¹³⁴⁰ Mishnah Brachot 2:2

¹³⁴¹ See the discourse entitled “*Agurah b’Ohalecha*” 5695 (Sefer HaMaamarim Kuntreisim Vol. 2 p. 350b).

¹³⁴² See Midrash Tanchuma Naso 16; Tanya, Likkutei Amarim, Ch. 36

associated with it,¹³⁴³ except that in the *mitzvot* (“We will do”), this only is a radiance from the source of the pleasures, which is drawn down in every aspect according to its level. In contrast, in the matter of “justice” (*Mishpat*-משפט) there is a drawing down of the source of the pleasures, this being the lust of His Essential Self, blessed is He.

This then, is the meaning of, “The Holy One, blessed is He, said, ‘I am giving what I love,’” for “I am *HaShem*-יהו"ה who loves justice,” “to the people that I love, as it states, “When Israel was a lad, I loved him,” specifying “a lad.”

That is, the granting of “justice” (*Mishpat*-משפט) to the Jewish people is specifically due to the matter of immaturity (*Katnut*), this being the simple faith (*Emunah Peshutah*) present in every single Jew. In other words, this is unlike understanding and grasping Godliness, which is a very lofty level that not all minds can withstand, nor [can they even withstand] love and fear of Him, which are the matter of the encompassing [lights] (*Makifim*), for which much preparation and toil is necessary etc., and not everyone merits this.

In contrast, simple faith is present in each and every Jew without any toil or labor at all, but in a way that this is an inheritance to us from our forefathers.¹³⁴⁴ As in the words of the Alter Rebbe in Tanya,¹³⁴⁵ “An immense fortune falls into his possession through no toil of his own.” Moreover, the

¹³⁴³ See Likkutei Torah, Bamidbar 18a-b; Ohr HaTorah, Rosh HaShanah (Vol. 5) p. 2,110 and on; Also see Likkutei Sichot Vol. 17 p. 414, note 48.

¹³⁴⁴ Tanya, Likkutei Amarim, Ch. 18

¹³⁴⁵ Tanya, Likkutei Amarim, Ch. 33

matter of inheritance is such that even a minor inherits,¹³⁴⁶ and [moreover] he inherits the entire essence.

This then, is why the granting of “justice” (*Mishpat*-משפט) to the Jewish people is specifically due to the matter of immaturity (*Katnut*), because specifically through this they are connected to the simplicity of the One Above, as in the well-known saying,¹³⁴⁷ that “in the simplicity of a simple person is the revelation of the simplicity of the Essential Self of *HaShem*-יהוה, blessed is He.”

5.

Now, we can connect the general matter of [the verse], “Judges and officers shall you appoint for yourself in all your gates etc.,” with the month of Elul. This is because the Torah portion of Shoftim is always read in the month of Elul (because the Torah portion of Re’eh is read on Shabbat Mevarchim Elul or on Rosh Chodesh Elul, but the Torah portion of Shoftim is always read in the month of Elul).

As known, the *ShaLa”H*¹³⁴⁸ states that all the holidays throughout the year etc., relate to the Torah portions that fall out with them. This is especially so according to the Alter Rebbe’s statement,¹³⁴⁹ “We must live with the times,” meaning that we must live with the Torah portion being currently read. From

¹³⁴⁶ See Talmud Bavli, Niddah 43b and on (in the Mishnah).

¹³⁴⁷ See Keter Shem Tov (5764 edition), Hosafot, section 155 and on.

¹³⁴⁸ *Shnei Luchot HaBrit* (*ShaLa”H*), beginning of Vayeishev (297a)

¹³⁴⁹ *Sefer HaSichot* 5702 p. 29 and on (copied in *HaYom Yom* for the 2nd of Cheshvan).

this it is understood that the Torah portion of Shoftim is connected to the month of Elul and relates to it.

The explanation¹³⁵⁰ is that, as known,¹³⁵¹ the month of Elul is a limited period of time for making an accounting in one's soul of his service of *HaShem*-יהו"ה, blessed is He, throughout the year, which generally is included in the matter of, "Judges and officers shall you appoint for yourself in all your gates," beginning with the seven gates in man from which there is a drawing down to all particular 248-רמ"ח limbs, which correspond to the 248-רמ"ח positive *mitzvot*,¹³⁵² through which the actual service in thought, speech, and action, is caused.

This then, is the general service of *HaShem*-יהו"ה, blessed is He, during the month of Elul, in a way of "I am to my Beloved,"¹³⁵³ which brings about that "My Beloved is to me," this being the matter of the drawing down and revelation from Above to the Jewish people, and through them, to the entire world, until "all that has been made will know that You have made it etc.,"¹³⁵⁴ and in a way that the beginning of the drawing down and revelation is in the land of Israel, and from there it is drawn to the entire world, "when *HaShem*-יהו"ה will broaden your boundary, as He swore,"¹³⁵⁵ "to give you the land of the Kenite, the Kenizzite, and the Kadmonite"¹³⁵⁶ (as stated in this week's Torah portion) until the land of Israel will spread to all

¹³⁵⁰ Also see Likkutei Sichot, Vol. 29 p. 102 and on – in regard to the connect with the sounding of the Shofar during the month of Elul.

¹³⁵¹ See Sefer HaMaamarim 5696 p. 141 and on

¹³⁵² See Talmud Bavli, Makkot 23b; Zohar I 170b

¹³⁵³ Song of Songs 6:3; See Likkutei Torah, Re'eh 32a and on.

¹³⁵⁴ See the liturgy of the Rosh HaShanah prayers.

¹³⁵⁵ Deuteronomy 19:8

¹³⁵⁶ Rashi to Deuteronomy 19:8 *ibid*.

the lands,¹³⁵⁷ through our righteous Moshiach, may he come and redeem us speedily in our days! Amen!

¹³⁵⁷ See Pesikta Rabbati, Ch. 1 (Piska d'Shabbat v'Rosh Chodesh) 3; Yalkut Shimoni, Isaiah, Remez 503.