Justice, Justice: Thoughts for Parashat Shofetim, August 30, 2014

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Events of recent weeks have reminded us of what we have always known: people's judgment is often skewed. Politicians and media personalities pander to their constituencies without strict regard for truthfulness or justice. Terrorists are treated sympathetically, while those fighting terrorists are vilified. Groups decide to boycott a democratic nation, while giving aid and moral support to the vilest of tyrannies.

Why does moral judgment often seem to stray so far from the dictates of reason and truth?

This week's Torah portion gives some insight into this problem. "You shall not pervert judgment; you shall not favor persons; neither shall you take a bribe, for a bribe does blind the eyes of the wise and pervert the words of the righteous. Justice, justice shall you pursue... (Devarim 16:19-20)."

One of the sources of injustice is showing signs of bias based on unjust favoritism to one side or unjust antagonism to the other side. Instead of examining the case honestly and determining who is right and wrong based on actual facts, the unfair person passes judgment based on personal prejudice. The bigot is not interested in truth, but rather will twist facts and make arguments in order to bolster his/her preconceived notions.

Another source of injustice stems from taking "bribes." This does not necessarily mean that the judge has pocketed money directly from one of the parties—although that surely is highly immoral and corrupt. Being "bribed" may be more subtle than a direct cash payment. It can also be understood in a broader sense: judgment is impaired by awareness of the power of one side and the unwillingness to risk antagonizing him/her.

For example, politicians fear to antagonize oil rich countries; so instead of calling them to task for human rights violations, they politely look the other way and allow the wealthy tyrannies to carry on as they please. It is far easier and more

“politically correct” to cast aspersions on tiny democracies than to stand up against ruthless tyrannies that are backed by huge oil reserves.

The Torah stresses the need for real justice. It wants us to rise above petty biases and bribes. It wants us to stand up for truth even when that may not be a popular thing to do.

The Torah reminds us that God is the true judge and that we are all ultimately answerable to the Almighty. Our succumbing to bias or bribery may seem to bring about short-lived success or popularity; but it undermines our morality and defiles us in the eyes of God.

The quest for clear judgment is not restricted to macro-issues involving nations; nor to specific legal disputes among individuals. It is a challenge to our entire worldview, our whole way of life. True judgment reflects a righteous personality; false judgment reflects a defective personality.

Dr. Rene Levy, a neuropharmacologist living in Seattle, has written a book “Baseless Hatred: What It Is and What You Can Do About It,” Gefen Publishing House, 2011. Among his observations is that people’s hatred of others often stems from poor or mistaken judgment. He writes: “Hate is essentially a reaction—usually an over-reaction—that occurs when an individual feels threatened or trapped; it has a low threshold and can be triggered by stimuli that are real or imagined; the individual who hates makes generalized judgments and confuses associations with causality, linking irrelevant information to the emergence of hatred; the hater has a vindictive, revengeful attitude toward his target; once hatred develops, it does not disappear; it cannot be simply extinguished (P. 34).”

Dr. Levy cites various scenarios in which hatred brews within an individual based on mis-perceptions of the intentions of others. The hater ascribes hostile motives, where no such motives were manifested. The hater feels an insult, where no insult was ever intended. Once the hater allows hatred to sink into his/her personality, proper judgment is lost. Instead, the hater is imbued with bitterness and vindictiveness. And this is often allowed to happen because the hater simply hasn’t taken the time or trouble to examine the issue objectively, and has not approached the victim of his/her hatred to find out what really was (or was not) on the victim’s mind.

Sinat hinam, “baseless hatred,” is a social disease that not only affects the immediate parties of this hatred; it undermines the stability and harmony of

society as a whole. It often stems from flawed, biased judgment. It requires great effort and great wisdom to overcome this malady.

Seeking truth and justice certainly does not mean that all sides are equally right or wrong, that all “narratives” have equal validity. Seeking truth and justice demands the clarity of thought and moral vision to distinguish between right and wrong, between good and evil.

But it also requires immense humility. It requires the careful self-analysis to be sure that we ourselves are free of self-righteousness, unjust bias, and external pressures that pervert our sense of justice.

Angel for Shabbat