

Shoftim: The Asheirah

You shall set up judges and law enforcement officials ... You shall not pervert justice; you shall not show favouritism, and you shall not take a bribe ... Justice, justice shall you pursue, that you may live and possess the land the Lord, your God, is giving you. You shall not plant for yourself an Asheirah tree, or any tree, near the altar of the Lord, your God, which you shall make for yourself. (Deuteronomy 16:18-21)

The beginning of this week's Parsha describes the requirement of establishing a judicial system while warning against corruption and bribery. These words are then juxtaposed with the prohibition of planting an Asheirah tree, used for idolatry.

The Gemara (Sanhedrin 7b) explains that the juxtaposition of these laws teaches us that appointing a corrupt judge over the community is akin to carrying out acts of idol worship. The Maharsha, Rabbi Shmuel Eidels (1555-1631) explains that an honest judge who seeks truth acts in partnership with God, the Dayan HaEmes, Judge of truth. In fact, the Torah (Exodus 21:6) refers to judges as Elohim, the same word used for God's name. Conversely, a dishonest judge shows that he has surrendered to the idols of avarice, corruption, and fraud.

An idea attributed to Rabbi Chaim Halevi Soloveitchik (1853 - 1918) further highlights a subtlety of the Torah's prohibition of an Asheirah tree and its juxtaposition to the commandment to appoint judges and develop a judicial system. Regular idols are recognisable as such; their appearance directly reflects their purpose. Externally, the Asheirah tree seems to be just another tree, but in reality, man has corrupted it through the falsehood of idolatry.

A dishonest judge or leader may also seem to be like anyone else; decent, respectable, and righteous. Nevertheless, in reality he is a fraud. Just as the Asheirah which appears to be like any other beautiful tree, is in fact a vehicle for blasphemy, so too a corrupt leader while appearing to be a positive force in the world is in fact in conflict with God.

Parshat Shoftim is always read on the first Shabbat of Ellul, the month of introspection and self-analysis preceding Rosh HaShannah and Yom Kippur. The broader message of Rabbi Soloveitchik's observation is that every person should examine the persona they exude together with the person they really are on the inside. Most of us are very anxious about maintaining our character; social standing and a good reputation are very important behavioural drives. We all want to appear respectable and well thought-of, but how many of us invest the same amount of care in living up to that appearance?

Just as the Torah requires the highest standards from our leaders so too, their example must be emulated in our own lives. Then we too can become anshei emet, men of truth (Exodus 18:21) to partner God, complementing his creation rather than conflicting with it and causing discord.

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