

THE JUDGMENT IS GOD'S*

לֹא־תִכְיֹרוּ פָנִים בַּמִּשְׁפָּט
בְּקִטְוֹן בְּגֹדֶל תִּשְׁמָעוּן
לֹא תִגּוּרוּ מִפְּנֵי־אִישׁ
כִּי הַמִּשְׁפָּט לְאֱלֹהִים הוּא
וְהַדָּבָר אֲשֶׁר יִקְשֶׁה מִכֶּם
תִּקְרֹבוּן אֵלַי וְשִׁמְעֵתִיו:

‘You shall not respect persons in judgment;
the small and the great alike you shall hear;
you shall not be in awe of the face of any man;
for the judgment is God’s;
and the cause that is too hard for you,
you shall bring it to me and I will hear it.’

‘You shall not respect persons in judgment—Those who serve as judges must be appointed for their knowledge of the law and their probity, not for their influence or position, lest they “condemn the innocent” or “vindicate the guilty” (Rashi). And the parties to a dispute must not be personally known to the judge (Sifre). *The small and the great alike you shall hear*—Neither the poor nor the rich shall be honored by the court, but the principles of truth and justice shall guide the proceedings. *You shall not be in awe of the face of any man*—You shall not fear speaking the truth—“storing up” your words (Sifre)—in any matter in which truth or justice would be perverted by your silence, out of fear that violence or other harm will be done to you. In reaching judgments the judge is “doing the work of God,” thus the criteria for judgment are not the judge’s but God’s; and judgment should not be constrained out of fear because, as it is said (Sabbath 10a), every judge who furthers justice is “considered as if he had participated in God’s work of creation”—and thus he must have faith in God’s protection and support (S.R. Hirsch). *For the judgment is God’s*—When justice is perverted by human judges, it is left to God to right the balance of good and evil in the world because “you have perverted justice against Me” (Rashi). *And the cause that is too hard for you, you shall bring it to me and I will hear it*—But God said to Moses, “I shall make you know that you cannot decide difficult cases” (Sifre), because it is not man but God that “sees into the [human] heart” (I Samuel 16:7). And so Moses, when he could not decide a matter from what he had already learned, would seek from God “the necessary instruction” (S.R. Hirsch).

* Deuteronomy 1:17 (in Devarim)