



***Parashat Shof'tim***

***The Holiness of Judgment and the Power of Witnessing***

by Karen Erlichman on Friday September 05, 2008

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Deuteronomy 16:18 - 21:9

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***Baruch Dayan Emet***

This is an abbreviated version of the blessing traditionally recited by all who witness or hear about a death: Blessed is the one true Judge.

As I read this week's Torah portion, Parashat Shof'tim, I was reminded of this blessing and of the power and holiness of judgment.

Shof'tim, which means judges, comes from the Hebrew root formed by the three letters "Shin-Pey-Tet," to pass judgment. This parasha outlines detailed guidelines for appointing judges to "govern the people with due justice" (Deuteronomy 16:18), and it goes on to clarify that you should not judge unfairly, or show partiality or preference, or take bribes, or transgress the sacred covenant with HaShem.

Shof'tim discusses the important role of the witness in ensuring that justice is appropriately respected and maintained. It is in this parasha that we find the often-quoted phrase "Tzedek, tzedek tirdof," or "justice, justice shall you pursue."

This week, I was most queerly inspired by this portion's emphasis on judgment with integrity and the power of witnessing.

Jews in general, and queer Jews in particular, are acutely aware of the powerful impact that judgment and witnessing have on our identities, our civil rights, even our very survival. Unfortunately, many of us have experienced painful judgment, shaming and discrimination from our families, from other queers and other Jews, and from Jewish organizations. At times, we have been made to feel unwelcome, invisible and unworthy.

For many lesbian, gay, bisexual, transgender, queer, intersex and questioning Jews, we have felt that we had to choose one community, that we could not be fully ourselves as queer Jews in



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either the Jewish community or LGBTQI communities. Homophobia and transphobia exist even in Jewish institutions that claim to be progressive and accepting; and anti-Semitism exists in many queer organizations as well.

What does it actually mean to govern the people with due justice, as the text instructs? Shof'tim teaches that it is the responsibility of each individual, and of the entire community, to make judgments that reflect, honor and dignify our covenant with God. Such ethical integrity requires, says the text, a thorough inquiry (17:4) to ensure that accusations are neither falsely perpetrated, nor unjust punishments imposed.

Thankfully, there have been allies who have served as sacred witnesses for us as we worked through the process of coming out, exploring our sexuality or gender identity, and as we have stood under the chuppah (the traditional Jewish wedding canopy) with our queer beloveds. Shof'tim cautions that one witness is not sufficient to ensure justice, but that two or three witnesses are required (17:6).

Witnesses serve an important role in Jewish life in many ways; for example, witnessing the signing of a ketubah (a wedding contract); serving on a bet din for someone choosing to be Jewish; obtaining a get (divorce) upon the dissolution of a marriage; and the Ninth Commandment, (from Exodus 20:13): You shall not bear false witness against your neighbor.

Shof'tim is auspiciously read during the month of Elul, this sacred time of year when we are actively engaged in a rigorous spiritual practice of cheshbon ha' nefesh, the accounting of the soul. Cheshbon ha'nefesh is like our own internal justice system, in which we thoroughly inquire whether our actions over the past year have been in harmony with our values, our kavannot (intentions) and our covenant with God.

For some, this process is done in absolute privacy, a conversation between the individual and God. For others, we sit in circles with sacred witnesses, such as Mussar<sup>1</sup> groups, havurot, spiritual direction groups, women's circles, queer minyanim, and others. There is a mutual accountability and transparency to our Elul work, and as we approach the Yamim Nora'im, the Days of Awe, we are acutely aware of our interconnectedness. Our individual work of teshuvah culminates with our collective witnessing and atonement.

As we journey together in Elul, may we serve as witnesses and pursue justice for all among us:

For the genderqueer student in Jewish day school, for the queer rabbinical student, for transgender Jews seeking spiritual community, for parents of queer Jews, for Jewish institutions who lose sight of tzedek, tzedek tirdof, for LGBTQI Jewish professionals, for bisexual Jews who are made to feel invisible, for those who are brave enough to pioneer new queer Jewish rituals, for non-Jewish partners who participate in Jewish life, for Israeli and Palestinian queers who



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seek common political ground, for new Jews and old Jews, for all of us engaged in cheshbon ha'nefesh and in our commitment to making teshuvah:

Baruch Dayan Emet.

1 Mussar refers to a Jewish ethical, educational and cultural movement that developed in Eastern Europe in the 19th century.



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