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**Sichos in English Classics 30**

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**Judges, Officers  
and Advisers**



**Shabbos Parshas Shoftim,  
7th Day of Elul, 5751 (1991)**



**Sichos In English**  
788 Eastern Parkway  
Brooklyn, New York 11213  
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## IN PLACE OF AN INTRODUCTION

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At the Shloshim of R' Yonah Avtzon A"H, Director of Sichos in English, a resolution was taken to reprint the original weekly Sichos in English publications.

To fulfill this, a weekly booklet including a translation of a *farbrengen* as it was first published will be distributed. Our intention is to reprint the entire set in the near future.

Following the Sichos we will include an addendum with pictures, notes, and insights into the process of its publication.

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# JUDGES, OFFICERS AND ADVISERS

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## Shabbos Parshas Shoftim, 7th Day of Elul, 5751 (1991)

1. We find a parallel to the commandment in this week's Torah reading, "You shall appoint judges and officers in all your gates," in the promise of Yeshayahu, the prophet of the Redemption, "And I will return your judges as in former times, and your advisers as at the beginning." This mode of expression is also used in the weekday prayers "Return our judges as in former times, and our advisers as at the beginning."

According to what has been mentioned many times, and especially recently — regarding the proclamation of the previous Rebbe "Immediately to repentance (and thereby automatically) immediately to redemption"; Everything necessary for the redemption has been completed, including "polishing the buttons"; so that all that is now needed is that "all should stand ready" — and that this has also been done — to receive *Mashiach* immediately. Thus it is understood that we have already reached the time for the fulfillment of the promise "And I will return your judges... and your advisers," and even more so "as at the beginning." This has already begun, as will be explained.

In order to understand this, it is necessary to understand some differences in the language of the promise made by Yeshayahu and the commandment mentioned in our Torah portion:

a) In the commandment in our portion, the words "judges and officers" are used, whereas in the promise, only the words "Your judges" appears, and "officers" is not mentioned. However, the words "and your advisers" is added. b) What is the import of these two categories "judges" and "advisers"? c) Why is the term "as in former times," used in connection with "judges", and "as at the beginning" used connection with "advisers"? d) Why the use of the second person, "your" judges, "your" advisers as against the simple term "judges and advisers"?

These questions can be resolved as follows:

The difference between “judges” and “officers” is explained by *Rashi* to mean: Judges decide the law; and the officers of the court administer the decisions. If necessary, they strike and bind with a rod or lash until a defendant takes upon himself the decision of the judge.

According to this explanation, it is understandable why only “your judges” are mentioned in connection with the promise of redemption, and not “officers.” In the future the existence of evil at large, and the evil inclination within man, will be abolished. There will be no necessity for officers to compel the people to accept the rulings of the judges; everyone will do so of his own free will. It will only be necessary to have “judges” who will decide the law, teach Torah, and give instructions on the teachings of the Torah and its commandments to the Jews.

This idea is also hinted at in the name of the Torah portion, *Shoftim* (without the word *shotrim*, “officers”), for an entity’s name expresses its inner content.

The question, however arises: How does the name of the Torah portion, *Shoftim*, fit in with the commandments whose content apparently also includes “officers”? The *Midrash* goes further and says that if there is no officer of the court, then there is no judge. For when a court rules that a debtor has to pay his debt, if there is no officer to enforce the court’s ruling, the judge has no power to enforce his ruling.

To resolve this, we must say that the object of having officers is not an independent purpose, but only to help the judges. If a judge cannot enforce his ruling, the officers, who have the “rod and the lash” are there to force a recalcitrant debtor to accept the ruling of the judge. Hence, the Torah portion is called only *Shoftim*. And for this same reason, the appointment of officers is not counted as an individual *mitzvah* in the reckoning of 613 *mitzvos*, but is included as part of the *mitzvah* to appoint judges — namely, because the purpose of having officers is only part of the duties of judges. It is not, however, an absolute necessity, for the law can be carried out voluntary, without coercion as will take place in the Era of the Redemption.<sup>1</sup>

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1. The commandment in the Torah does mention “officers,” because it is a commandment for all later generations, even those in which coercion will be necessary.

## FOCUSING ON THE RECIPIENT

We can now understand the reason why in the prophetic promise, the words “your advisers” was added to “your judges.” In the Era of the Redemption, the Jews will reach a state of perfection that will cause them to carry out the rulings of the judges without the need for officers. And this will come about, because in addition to “judges,” there will be “advisers.”

The simple difference between a judge and an adviser is that a judge is not to be compared to the one who is being judged, he is on a far higher plane. He has a greater knowledge and understanding of the laws, and accordingly the litigants feel subordination in his presence. (This is necessary so that they will accept the verdict even if it is not to their liking.)

In contrast, an adviser is what his name implies — he gives good advice. This indicates that the adviser is more or less on the same level as the person he advises. Indeed, the adviser speaks to him, not from above to below, as with a decree, but as a good friend who speaks to him on a basis of equality. He gives him good advice on how to behave, advice that his listener can understand and accept with a feeling that his advice will benefit him.

We can apply similar concepts to explain the difference between the terms “your judges” and “your advisers” used in the prophetic promise mentioned above: Each one contains an advantage over the other. The advantage of the adviser is that he is more readily accepted by the advised. His counsel penetrates the inner being of the advised, because the latter accepts that this is good advice for him.

In contrast, the advantage of the judge, is that although his ruling comes as a command, because he is on a much higher plane than the judged, this in itself is a plus. The judge has the power given by the Torah to make these rulings (which is a far greater power than that of the adviser, who is on the same level as his listener). Indeed, the nature of his rulings force the person to accept them (whereas with advice one has a choice to accept it or not).

In other words: whereas with a judge the main stress is on the status of the judge, with the adviser, the main stress is on communication to the person receiving the advice.

In general, man's service of G-d should be characterized by both these thrusts. It must include service through his own ability, "an awakening from below," and influence he receives from above, "an awakening from above."

In greater detail, there are two types of influence from above itself: the influence which is granted according to the level of the person and therefore can become part of his inner being, and the influence which comes from a level which transcends the level of the person himself.

Similarly, these two dimensions are reflected in the motivators to the service of G-d which come from Jews themselves: "your judges", whose task is (to teach) Torah, the word of G-d — give influence from a higher level than the person, and "your advisers" whose help can become part of one's inner self, in a way which makes him feel that it is for his own good.

Based on the above, we can understand why the connection between, "your judges" and the expression "in former times," and "your advisers" to "at the beginning." The difference between "in former times," and "at the beginning" is such: "In former times" alludes to a state of primeval existence, before the start of the matter, whilst "at the beginning" refers to the actual beginning of the matter.

Since the work of a judge reflects the issuing of dictates which comes as an order from above without taking into account the readiness of the recipient to receive them, there is consequently a gap (in quality, and therefore in time) between the pronouncement of the judge and its actual fulfillment. Because, after the ruling has been given, the judge has to start a new process — the acceptance of his ruling and its fulfillment by the defendant — the term "in former times" is used.

In contrast, the adviser's efforts focus on the recipient and is given with the thought of him in mind, that he be ready to accept the advice. Thus the actual giving of the advice shows that the process of communication has already started. The advice itself only reveals what is already there and shows how this advice is for his good. This also applies in time — as immediately following the giving of the advice, there begins the process of its fulfillment. For this reason, the term "your advisers" employs the second person: emphasizes that it stresses that the advice belongs to you. Furthermore, through the efforts of "your advisers," the judges will become "your judges," their rulings,

which of themselves are on a higher level than that of the litigants, will be accepted by them and internalized like advice.

This relates to the commandment of our Torah reading, “You shall appoint judges... in all your gates.” The gate of a city is the opening through which one enters the city. This means that the appointment of judges (and officers — when they are needed) should be in the manner of “you should appoint in all your gates” (second person) that the rulings of the judges — who themselves may be aloof and separate — should be accepted by the Jews, and should become part of “you” and even more so “in all your gates,” i.e., internalized within the people.<sup>2</sup>

### WHAT WILL HAPPEN TO LAW ENFORCEMENT IN MOSHIACH’S TIMES?

We can now understand why after *Mashiach* comes, there will be no need for “officers.” The judges and the advisers will lead to perfection — both the laws and rulings of the Torah which come with “your judges” together with the influence from above, as well as the good advice which comes through “your advisers” who allow this to be internalized into man’s inner being. Through these two methods, a Jew will be completely permeated with Torah, *mitzvos*, and G-dliness so that “officers,” representing force and compulsion, will no longer be necessary in order to carry out G-d’s word.

Through “your judges” alone, the rulings of the Torah that a Jew accepts as a duty, because of a command and decree; the inner service which permeates his understanding and his feelings, which comes through “your advisers” is missing. Consequently, there remains room for the possibilities of the existence of a different and even opposite force within his inner being. Conversely, “advisers” alone are insufficient, for the power of the Torah and the infinite help which comes through the ruling of the judge is missing. Thus, it is through the

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2. This has greater meaning according to the homiletic explanation of this passage. In this context, “your gates” refers to our sensory orifices (our eyes, ears, nose and mouth) which are the gates between the person and all that surrounds him. You should “appoint judges” on “all your gates,” that all our senses should be led by the “judges” of his soul, the intellect of the G-dly soul with which he learns Torah. The Torah should control the functioning of our sensory powers.

fusion of both influences, that a complete level of service can be reached.

As a catalyst for the fulfillment of this prophecy, even before the Redemption, a Jew must perform a service according to his capabilities, that reflects — and makes him a receptacle for — the revelations of the Era of *Mashiach*.<sup>3</sup> This means our service now should be on two motivating forces: a) that of “judges” — fulfilling the rulings of the Torah as a duty, and b) that of “advisers” — that the rulings of the Torah should be accepted by his inner self as good advice.

This is achieved through Jews of every generation obeying the “judges” and “advisers” of their generation. For the *halachic* authorities explain, that “You shall appoint judges and officers in all your gates (cities)” is a basic and fundamental principle in all places, even in the Diaspora, and in all times, even in the present era, as is written in our Torah portion, “And you shall come... to the judge who will be in those days and you shall inquire and they shall declare to you the sentence of the judgment. And you shall do according to what they shall declare to you.” Moreover, “the judge who will be in your days” shall be reckoned in every generation as “Shmuel in his generation” and even as “Moshe *Rabbeinu* in his generation.”

There must also be the influence of “advisers.” Thus it is desirable that in addition to a judge’s judicial knowledge, one can “enjoy his advice and wisdom.” Alternatively, in addition to the judge and Rabbi who gives *halachic* rulings in that generation, there are also people who give advice (who should be accepted on the basis of our Sages’ directive, “make for yourself a teacher”).

## WHAT IS UNIQUE ABOUT PROPHECY?

2. An illustration of the difference between the two functions mentioned above can be found in the contrast between the words of the

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3. The rationale for the above is that the end product of perfection in the Era of *Mashiach* “depends on our work and service during the whole period of the exile, because the cause of the reward for the *mitzvah* is the *mitzvah* itself...” (*Tanya*, Chap. 37 and 39). All Divine influence comes in a manner of measure for measure; i.e., the service of a Jew reflects the nature of the influence which is drawn down through this service.



Torah, and the words of prophecy, (both of which are mentioned in the Torah portion *Shoftim*).

Torah transcends the world, for it is the wisdom and will of G-d. Thus in the same way that one cannot grasp the being of G-d in any way, the real essence of the Torah is above our comprehension.<sup>4</sup> Therefore the manner in which the Torah is conveyed to this world is mainly through commandments and rulings from above.

In contrast, prophecy — even though it is the word of G-d, “the spirit of G-d spoke to me” — is the revelation of G-dliness to man. “He revealed His secrets to His servants, the prophets”, according to their limits<sup>5</sup> that it should be absorbed in the knowledge and mind of the prophet. A prophet becomes as one with the prophecy communicated to him and the vision of prophecy becomes clothed in his minds and understanding and also in his thoughts and speech, as it is written “The spirit of G-d spoke in me, and His word is on my tongue.”

Moreover, prophecy is intended to be revealed through speech. The very Hebrew term for prophecy, *nevuah* implies that it is a subject proclaimed and announced to the people as in the term *niv s'fosayim*, (“the expression of the lips”). In contrast, Torah which can remain in one’s thoughts. Also the import of prophecy has connection with the events of the world. To quote the *Rambam*, “A prophet is only there to inform us of what is going to happen in the future in the world.”<sup>6</sup>

Thus, the Torah and prophecy reflect the difference between “your judges” and “your advisers.” The task of the judge is to rule on the laws of the Torah, which is done by way of command and decree. The adviser gives his advice “clothed” in language acceptable to the advised, which he can understand as does a prophet.

There is a commandment to obey “your judges” at all times, as it is written in our Torah portion “And you shall come... to the judge who will be in those days.” Similarly, there is a commandment to obey the

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4. Even though the Torah descends and become en clothed in concepts that can be understood within this world, its essence — the Torah itself — remains higher than understanding and human comprehension.

5. Nevertheless, prophets must, as the *Rambam* writes, fulfill certain conditions of sagacity, strength, and the like.

6. Similarly, a prophet gives advice regarding conduct in worldly matters, “things that will come to pass in the world, e.g., ‘go to a certain place,’ ‘don’t go,’ ‘declare war today,’ or ‘do not.’”

prophets, as it is written separately in the Torah portion (18:15) “G-d will set up for you a prophet from your midst, from your brothers, like me, and you shall hearken to him.”

In this context, the *Rambam* explains “one of the fundamentals of the religion is to know that G-d sends His prophecies through people.” Since the *Rambam* prefaces the commandment to heed a prophet with the concept that prophecy is one of “the fundamentals of the religion,” we can understand that this affects Jews in all generations. Our Sages tell us “that from the time the later prophets, Chaggai, Zecharia and Malachi died, the Holy Spirit departed from Israel.” Nevertheless, the word “departed” does not mean that it was abolished completely. The spirit of prophecy did not cease, but rather ascended to a higher plane. Indeed, even after the era of the later prophets, the spirit of prophecy permeated very many people. (This can also be understood from the fact that, in the *Mishneh Torah*, the *Rambam* does not mention the cessation of prophecy, nor that the spirit of prophecy can flourish only in a specific time.)

### **IS THERE PROPHECY BEFORE MOSHIACH COMES?**

Indeed, in his *Iggeres Taimon*, the *Rambam* writes that “as a preparatory step for *Mashiach*’s coming... prophecy will return to Israel.” This can be understood in connection with the explanations above. To prepare us to be able to receive the revelations of the Era of the Redemption, we must experience through prophecy, a foretaste of the “advice” that will be communicated in that era.

It is therefore important for later generations to know that it is “one of the fundamentals of [our] faith to know that G-d sends His prophecies through people.” Always, in all generations, the revelation of prophecy is possible. Moreover, this will include even a level of prophecy which is akin to the prophecy of Moshe as implied by the verse, “I will set up for them from their brothers like you.” Moshe’s level is the zenith of prophecy, as the *Rambam* explains at length. Nevertheless, it is not exclusive to him, but reflected to others as well.

This enables us to comprehend why the *Rambam* deals with the prophecy of Moshe at such length, explaining that it reflects a higher level of prophecy than experienced by all other prophets. On the

surface, this is merely a historical fact. Of what purpose is there in discussing it in a book of law for the Jewish people of later generations. And if this only refers to the time after *Mashiach* has come, when Moshe will arise, the people will see Moshe's uniqueness themselves. Of what purpose is there to mention this ruling now?

The explanation is that in all generations, even before the Resurrection of the Dead, it is necessary to know that Torah law prescribes that G-d sends His prophecies through men, that the verse, "I will set up a prophet... like you (Moshe)" applies in every generation. Every prophet is a continuation of the prophecy of Moshe and his Torah (except that in regard to revelation, there are different levels as the *Rambam* explains). In our generation, these concepts were personified by the leader of the generation, the Previous Rebbe.

We can now understand the uniqueness of the time in which we are living, an age when all the service required of us has been completed, to borrow an expression of the Previous Rebbe, "the buttons have been polished," and we are in the final seconds before the Ultimate Redemption.

From the time when the Torah commanded "You shall appoint judges and officers in all your gates," the fact that the Redemption did not come then served as a proof that the Jews had not completed the service required of them. Traces of our sins remained, and hence "because of our sins, we were exiled from our land." Hence, in addition to judges, we still required "officers" to enforce obedience of the decisions the judges rendered.

Nevertheless, after the great amount of service throughout the generations, we are obviously very much nearer to the Redemption. Surely this has been enhanced by the revelation of *Pnimiyus HaTorah*, beginning from the *AriZal's* declaration that "it is a *mitzvah* to reveal this wisdom," and particularly through the service of the *Rebbeim* in spreading forth the wellsprings of *Chassidus*. These leaders are the individuals through whom "prophecy will return to Israel." They are the prophets of our generation, "like me (Moshe)," i.e., they are "the spark of Moshe that exists in every generation."

They are "your judges." This reflects to their function as *nesi'im*. This term related to the word *hisnasus*, "uplifted," reflects how they are

elevated above the people.<sup>7</sup> In this capacity, they serve as the teachers of the Torah to the people. Similarly, they serve as “your advisors,” giving counsel in connection with our Torah service, and also giving advice in worldly matters, which is the function of the prophets.

This is particularly expressed through the revelation of the teachings of *Chassidus* through the *Chabad* approach which allows one to comprehend Torah’s mystic secrets within the conceptual framework of ordinary human intellect. This serves as a foretaste of the revelation of the inner meanings of Torah in the Era of the Redemption which will in turn prepare our people for that era.

All this has been greatly increased in our generation — when “the spreading of your wellsprings outward” has been completed, reaching a level that can be comprehended by a person who is extremely remote and having been extended to all corners of the earth. This includes the translation of the teaching of *Chassidus* into many languages (e.g., Russian) at the request of the Previous Rebbe and the printing of the *Tanya* — the written law of *Chassidus* — in Braille for those who unfortunately cannot see.

## PRACTICALLY WHAT SHOULD WE DO ABOUT THIS?

In this context, the knowledge that all the service required of us has been completed provides us with a heightened understanding of the lesson we must take from *Parshas Shoftim*. Each person has to recognize himself, and publicize among his widest circle of influence, that we need to accept upon ourselves the rulings and advice of “the judges” and “the advisers” of our generation. In general, this refers to all Rabbis, for “Our Rabbis are our kings,” and in particular, this refers to the leader of our generation — the judge, adviser and prophet of our generation.

When a person has the merits and individual perfection required of a prophet, and he performs signs and wonders — as we saw and see continually in the fulfillment of the blessings of the leader of our generation, the Previous Rebbe — “we do not believe in him only

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7. This concept was given physical expression in the person of King Shaul, who was “higher than the people from his shoulder upwards.”

because of the sign [he performed]..., but because of the commandment which Moshe gave in the Torah.”

Furthermore, “A prophet about whom another prophet testifies that he is a prophet (as is the case with the Previous Rebbe, and is continued in the next generation through his disciples), he is accepted as a prophet and requires no investigation.” He has to be obeyed immediately “even before he performs a sign.” “It is forbidden to disparage or criticize his prophecy saying that it is perhaps not true.” There is a specific negative commandment forbidding us to test a prophet more than necessary. After it has become known that he is a prophet, the people should believe in him, and they should not disparage or criticize him. Their belief should not be in the prophet as an individual, but as a messenger charged with communicating the words of G-d.

This concept has to be publicized to everyone in this generation. It must be made known that we have merited that G-d has chosen and appointed a person who of himself is far greater than the people of his generation, to serve as a judge, adviser, and prophet to the generation. He will grant rulings and advice in connection with the service of the Jews and indeed, of all the people of this generation, in all matters of the Torah and its *mitzvos*, and in their general day to day behavior, allowing them to “know Him in all your ways,” so that “all your actions should be for the sake of Heaven.” Surely, this includes the fundamental prophecy “To Redemption immediately,” for “Behold *Mashiach* is coming.”

This, the acceptance and fulfillment of the rulings of the “judges” and the “advisers” of our generation begins the process of the fulfillment of the prayer “Return our judges as at first, and our advisers as at the beginning” which will be realized in a full sense with the true and complete Redemption.

On this basis, we can answer the questions being asked lately: Why is there is so much talk about the Redemption coming immediately? How will the family react, and what will the world say? To which the answer is that if the idea of Redemption was something novel, there might be cause for the question. This is not the case; everything connected with the Redemption began a long time ago and has long

been accepted in this world. Hence, there should be no wonderment and surprise when the Redemption does actually come.

On a practical level, the injunction of “You shall appoint judges at all your gates,” must be applied on several different levels. Firstly, “the gates” can be interpreted as referring to the seven gates of man: the two eyes, two ears, two nostrils and mouth. They should act according to the dictates of the Torah. On this level, the “judges” refer to the intellectual attributes of the G-dly soul and the “advisers,” the emotional attributes. Thus every element of the life of a Jew has to be permeated and led by the G-dly power of his soul.

This concept should be extended and every man and woman should serve as a “judge” and an “adviser” in their household and family, insuring that it run according to the teachings and advice of the Torah. And to extend the concept even further, the whole world should follow the directives of the “judge” and the “adviser” of the generation, the “prophet I will set up for them, like you (Moshe),” the leader of the generation.”

We are now at the end of the year, in the month of Elul, which is the month of reckoning for the past year and the month of preparation for the next year; and in this month itself, the first seven days have passed, from Sunday until Shabbos, which include all the days of the year passed and to come.

It is therefore an even more fitting time to make a true reckoning, and to undertake appropriate preparations for the next year in connection with the service described above. And this will bring each member of the Jewish people and the entire Jewish people as a whole, a *kesivah vachasimah tovah*, an inscription and the sealing of that inscription for a good and sweet year materially and spiritually.<sup>8</sup> Included in this will be the fulfillment of the prophecy, “And I will return your judges as in former times, and your advisers as at the beginning,” with the return of our people to *Eretz Yisrael* and to the *Beis HaMikdash*. May this take place in the immediate future.



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8. From the Fifteenth of Av onwards, it is customary to extend such wishes to a colleague.

# ADDENDUM

## Behind the Scenes of Sichos in English

SIE mourns the loss of R' Meir Shreiber A”H, a dear supporter of SIE for many years.

In the following letter, Rabbi Avtzon reports to the Rebbe about the publication and dissemination of an essay based on the Sichah of Beis Rabbeinu Shebibavel that was sponsored by Reb Meir A”H and family.

The addendum this week is dedicated to his memory.

Rabbi Yonah Avtzon  
Director

718-778-5436

**SICHOS  
IN  
ENGLISH**

DEDICATED TO THE DISSEMINATION OF CHASSIDUS

מבוא  
זאתה ה' אלהי ישראל  
בית אבותי ישראל  
א סאןקטואריא אין מיקרוקוסמוס  
שמואל א הקונטאס מקדש משי צד בית דינו שיהיה  
משפחה שבו יקראו שולם וזוהי ה' הקונטאס וכבר נראה  
ל' ב'תים ארץ התנונים בולוס.  
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יום ו' פ' שופטים, ו' אלול



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