

# MESHECH CHOCHMAH

## Parshas Shoftim

### A Tree Near the Altar

לֹא תִטַּע לְךָ אֲשֵׁרָה כָּל עֵץ אֲצִל מִזְבַּח ה' אֱלֹהֶיךָ אֲשֶׁר תַּעֲשֶׂה לְךָ

*You shall not plant for yourself an Asheirah – any tree – near the Altar of Hashem, your God. (16:21)*

#### FOR WHOM THE KORBANOS?

Korbanos make up a significant category of mitzvos within the Torah. Of crucial importance with regards to korbanos is to recognize that they do not provide nourishment or enhancement in any way to Hashem, Himself, heaven forbid. Hashem's perfection is not added to by the korbanos, or any other mitzvah, for that matter. The pasuk in Lyov<sup>1</sup> emphasizes this fundamental point when it says: "אם צדקת מה תתן לו" – If you were righteous, what have you given Him?" Rather the effect of korbanos is on the person and on the world:

- ▶ On an emotional level: The person becomes elevated when he realizes that what happens to the animal is deserving that it should happen to him as a result of his violating Hashem's command.<sup>2</sup>
- ▶ On a spiritual level: The world is elevated through the korban aligning all levels of existence connecting Hashem to this world.<sup>3</sup>

The reason this point needs to be emphasized is because it stands in direct contrast to the notion which prevailed among idolatrous nations, whereby bringing an offering to a certain celestial force or entity could increase its power to the benefit of the individual who serves it.

This is the meaning behind a statement made by Ben Azai regarding korbanos:<sup>4</sup>

בא וראה, מה כתיב בפרשת קרבנות, שלא נאמר בהן לא "א-ל" ולא "אלקים", אלא "ה",  
שלא ליתן פתחון פה למינים לרדות

<sup>1</sup> 35:7.

<sup>2</sup> Rav Saadia Gaon, Emunos ve'Deos, maamar 3.

<sup>3</sup> Zohar HaKadosh.

<sup>4</sup> See Toras Koahnim, Parsha Vayikra parsha 2 and Menachos 110a.

*Come and see what is written in the section dealing with korbanos, the names “El” and “Elokim” are not mentioned there, rather, [only the name] “Hashem,”<sup>5</sup> in order not to give heretics an opening to antagonize.*

The Meshech Chochmah notes that by prefacing his observation with the words “come and see,” Ben Azai is indicating that it is one of great profundity and import. The names of “Elokim” and “El” represent Hashem’s strength and power in His interaction with the world. Had these names appeared in the context of korbanos, it may have given heretics a pretext to say that the purpose of korbanos is to increase Hashem’s power. Therefore, the only name which appears is the *Shem Havaya*, which represents Hashem as the Creator and Sustainer of all existence. Since it is He Who provides existence and strength to all His creations, their korbanos are clearly not in order to increase His strength.

### **STONES AND TREES**

This idea is what lies behind the Torah’s instruction that the mizbeyach upon which the korbanos are offered be made of stones. A stone’s existence does not require sustenance or nourishment, nor does its interaction with other entities increase it in any way. A tree, on the other hand, is reliant on nourishment for its sustenance and growth. Therefore, the Torah not only states that the mizbeyach must be made from stones, but moreover, it is forbidden to even plant a tree next to it. This is in order to repudiate any notion that korbanos have an effect analogous to that of providing nourishment for a tree.

Indeed, this gives us further insight into why the Torah makes specific mention of an *Asheirah* tree, even though it immediately proceeds to forbid all trees! The background to the name “Asheirah” is provided by the Toras Kohanim<sup>6</sup> as denoting that the tree is “מתאשר מאחרים – receives strength from others.”<sup>7</sup> This refers to the fact that a tree needs nurturing in order to attain its strength – exactly the point that is being rejected in our pasuk with regards to korbanos.

### **FROM KORBANOS TO JUDGES**

The pasuk which forbids planting a tree next to the mizbeyach follows on from the opening pesukim of our parsha which deal with appointing judges and commanding that justice not be perverted. The Gemara<sup>8</sup> comments on the juxtaposition of these two themes, stating:

כל המעמיד דין שאינו הגון כאילו מעמיד אשירה אצל המזבח

*Whoever appoints a judge who is not worthy, it is as if he planted an Asheirah tree next to the mizbeyach.*

What is the meaning behind this analogy?

The Torah insists that the Sanhedrin sit in session adjacent to the mizbeyach,<sup>9</sup> for these two pursuits promote and enable elevated Torah living: korbanos in the area between man and Hashem and judgment in the area between man and man. Indeed, with this in mind, the Meshech Chochmah explains the parallel between two mishanyos in the first

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5 I.e., the Shem Havaya [י-ה-ו-ה].

6 Kedoshim parsha 1.

7 One of the meanings of the word “לאשר” is to confirm or strengthen.

8 Sanhedrin 7b.

9 See Mechilta end of Parshas Yisro

perek of Pirkei Avos that both discuss three things upon which the world stands:

- ▶ The earlier Mishnah<sup>10</sup> mentions: “Torah, Avodah and Acts of Kindness,”
- ▶ The later Mishnah<sup>11</sup> lists: “Judgment, Truth and Peace.”

When we compare these two lists of three, “Torah” corresponds to “Truth” and “Acts of Kindness” correspond to “Peace,” which leaves “Avodah” paralleling “Judgment.” The special connection between these two is that each of them, in their respective domains, maintains the Jewish People in their optimum state.

The connection between them goes deeper, however. The Sanhedrin is placed next to the mizbeyach because a judge needs to be like the mizbeyach of stone. The act of judging cannot be the source of benefit for him, whether in the form of a bribe or of aggrandizement; it needs to be purely with the intent of promoting justice in the world. This altruistic mindset which is required of the judge is the deeper meaning of words of the pasuk “הַמִּשְׁפָּט לְאֱלֹקִים הוּא” – Judgment belongs to God,<sup>12</sup> for judgment as the Torah demands it is a godly act, intending only to give and not to receive.

In this vein, the Meshech Chochmah explains the well-known statement of the Gemara:<sup>13</sup>

כל דיין שדן דין אמת לאמיתו נעשה שותף להקב"ה במעשה בראשית

*Any judge who judges a ruling of truth in truth becomes [thereby] a partner to the Holy One, Blessed is He, in the work of Creation.*

What is the meaning of the double expression “אמת לאמיתו – truth in truth”?

The word “אמת - truth” refers to the correctness of the ruling itself. The second term “לאמיתו – in truth” refers to the motivation of the judge in issuing this ruling. A judgment rendered “in truth” is one that has no extrinsic benefit in store for the judge, it is performed solely to promote justice in the world. Such a true act – both in substance and motivation – partakes of and parallels the infinitely altruistic act of Creation itself.

In light of the above discussion, we can now understand why the Gemara states that one who appoints a judge who is unworthy is as if he planted an *Asheirah* tree near the mizbeyach. One who is unworthy, but judges nonetheless, does so out of consideration for personal gain, be it in the form of the prestige of being a judge or otherwise. In this respect, he has engaged in an activity which should be approached as a stone that seeks no growth or benefit, approaching it rather as a tree which seeks to gain from it. It is for this very reason the Torah distanced an *Asheirah* tree from the mizbeyach, yet this person has effectively brought the two together!

In classic style, this discussion of the Meshech Chochmah weaves together the worlds of *parshanut*, *machshavah*, *taamei hamitzvos* and the enigmatic words of Chazal, illuminating thereby the area of Mishpat as well as the high idealism that the Torah demands from those who engage in it.

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10 Mishnah 2.

11 Mishnah 18.

12 Devarim 1:17.

13 Shabbos 10a.