

Deliberation, Justice, and the World's Ultimate Verdict

Category: Mishpatim, Shemos

Why the Torah tells us not to have steps on the Altar—and what that means in your life.

The Kind Judge

On a pleasant April morning in Jerusalem several years ago, a 20-something young guy crosses an intersection on a red light. A police officer who happens to be standing there stops him. Another officer suddenly shows up, this one running. So the young guy loses his cool and bolts. The two officers give chase and catch him.

Now, our young hero has no criminal background. But for whatever reason, he made the mistake of fleeing from a police officer. He later says that when the second officer suddenly rushed up to him, he panicked and ran—perhaps because he had just started a new job. He himself didn't know why he had fled.

Well, the police slap him with “interference of a police officer discharging duties.” The young man, for his part, comes from a family of seven kids and has already been kicked out of several schools. He's also never served in the IDF. He works at a pizza shop, trying to find himself.

So now he's taken to Jerusalem municipal court. He first steps into the corridor to find an attorney, but when he finds someone willing to represent him, he's asked to pay 450 shekels up front—money he doesn't have. So he ultimately decides to represent himself. He admits in court that he had fled the police officer.

The young guy is now convicted of committing the crime, and in light of the plaintiff's request, he's sentenced to one month of conditional incarceration and a 400-shekel fine.

The verdict is already printed, and our young hero is already imagining that here he is, starting off his life with a criminal conviction. But moments before he's led

out of the courthouse, the judge intercedes. "Wait!" she calls out. "I'm not finished with this decision."

So now, the judge has him brought back before the court and to his surprise, she says, "There's no way you're leaving here with a conviction," despite it being after the verdict and the deliberations with the police plaintiff. The judge looks at him and asks, "Do you understand what a conviction means for a person your age? You're a child! There are a ton of careers you won't be able to work in!"

"Do you want to study anything?" she then asks him. The young man lifts his head. "Yes! I thought about taking media. I want to be a reporter."

"Well, you can't become a reporter with a conviction!" she sharply retorts.

From that moment on, he doesn't say a word. He just stares in the direction of his friend who had accompanied him to court. But now, at the judge's instruction, the police office edits the charges. Where he had previously been charged with "interference of a police officer discharging duties," he's now charged with an excessively light sentence: "disorderly conduct in a public place."

The judge orders the court stenographer to add to the record: "Upon hearing the court's comments and after the record has been sealed, we have arrived at an oral agreement with the defendant, who will now receive a modified sentence. The defendant has confessed, will not be charged, and will sign on his obligations." The judge then ordered, "Defendant: Write that you consent!"

Well, the young man doesn't utter a word, but just stands there, bewildered at the rare occurrence. The judge then establishes the new agreement as the verdict: tossing the conviction and requiring the defendant to abstain from any such violation for the duration of the entire coming year. "I'm prepared to commit to that for my entire life!" he says. The judge takes the documentation with the initial verdict, which had been conviction, incarceration and fine, and hands it to him. "You can make paper airplanes out of this," she says. "You're leaving here with no fine. I don't want to ever see you here again! You're young. Don't commit crimes!"

But before he goes, she gets in a barb at journalism: "And learn something useful!"

The young man leaves court with his friend. “She saved me!” he says.

As for the judge, without anyone having asked her, she had looked at the person behind the explosive words on the charge sheet—interfering with a police officer—and decided, why confront him when I could support him? Why destroy his life just because he crossed on a red light and forced a police officer to run after him?

And that takes us right to this week’s Torah portion.

No Steps

The Parshah of Mishpatim is the Parshah in which the Torah lays out the laws that pertain to interpersonal behavior, the laws of society. Last week, we stood at Mt. Sinai and got the Torah. But right after that, the Torah tells us about bodily harm, financial damages, stolen property, and accidents.

The Torah wants to teach us here that it’s impossible to leave the Torah somewhere in the celestial realms of spirituality—that the Torah must express herself in our daily lives, in the give and take between people.

But what’s interesting is that between the description of the Giving of the Torah and the Parshah of Mishpatim, right in the middle—seemingly with no connection—we find several verses that describe what kind of altar should be built for the Beis Hamikdash. And then, right in the last verse of Parshas Yisro (Shmos 20:23), we read an interesting command: “And you shall not ascend with steps upon My altar”—it is prohibited to use a staircase to get to the top of the altar; rather, you had to build a ramp. Why so? “So that your nakedness shall not be exposed upon it.”

Now, the simple meaning of that is that where you have a sacred place, you have to walk with awe and reverence (kind of like how the sentries walk at the Tomb of the Unknown Soldier at Arlington National Cemetery). You have to take very precise and measured steps, expressing in how you walk how sacred the place is. And so that’s why steps are prohibited.

But the question remains: Why does this mitzvah appear between the telling of the Giving of the Torah and the laws that deal with interpersonal rules?

Take Your Time

The Sages expounded (*Sanhedrin 7b*) that from the fact that the Chumash put the rules of the Altar before the Parshah of Mishpatim, we can learn that the same awe and reverence that one must display in the Beis Hamikdash must also be on display in a court of law. That means that just as the Kohein had to ascend the Altar slowly and with reverence, heel to toe, heel to toe, so too must a judge not rush to mark another verdict. Rather, he must weigh everything well and scrutinize every detail.

And as the Rambam writes in his commentary on the Mishnah, it is incumbent upon the judge to be deliberate in judgment and not to rule in haste, since it's likely that in the course of deliberations, things will be discovered that would not have been thought of had they issued an immediate ruling in haste.

The Bartenura adds, "If a case comes before you one, two or three times, do not say, 'This case has already come before me, and a second and third time!' but rather, 'Be deliberate in judgement'—meaning, wait before issuing the verdict."

A Personal Lesson

In a Sichah, the Rebbe says that the Torah's order here is also a lesson from the Torah— meaning, the fact that "be deliberate in judgment" is the first rule mentioned in the entire Pirkei Avos tells us the importance of this rule, and not just for judges but for each one of us.

"When a person sees the spiritual state of this generation, how low it's fallen, and he wants to judge it, should he judge at first sight and in haste, he is thus likely to judge it unfavorably. But when you have deliberation in judgment, contemplating the reasons that brought about this generation, the great obscurity and the doubled and redoubled darkness... then he will not judge that it's not good anymore but to the contrary—whatever good there is will arouse wonder!" (Likutei Sichos Vol. 4, pg. 1180).

That means that the lesson originating from the "non-step Altar mitzvah" appearing between the Giving of the Torah and Parshas Mishpatim is not just that judges and referees should be deliberate and alert in court, but that all of us should be, too. We all engage in judgement without any investigation or inquiry.

We hear or see something in the media and immediately rush to conclusions, without any knowledge of the details, without clarifying anything, and it generally doesn't turn out too well.

The Rebbe says that this lesson applies to us as well. Before we chalk up a verdict about anything, we need to be deliberate—to stop for a minute and put ourselves in the shoes of the other person whom we are otherwise so quick to judge. And in doing so, we'll suddenly discover that we might even take his side!

Considering the state of the world and see what trials everyone has nowadays, instead of getting angry over why someone didn't act right and judging them guilty, let us marvel at those people who *do* act right despite all the impulses and temptations out there.

And we learn to do that from the prohibition of not ascending the Altar using steps—that's what "deliberate in judgement" means.

So when we are deliberate in judgement towards other Jews and other people, G-d Himself responds in kind—causing G-d to be deliberate in judgement when He looks upon the Jewish Nation. As the Rebbe puts it, "As a result of that, things will come to the 'deliberate judgement' of the future, the concept of the deliberate arrival of the future Redemption, which will not occur in a rush but 'with return and gentleness you shall be redeemed.'"

Good Shabbos!