



MISHNAS CHAYIM

משנת היום

MISHNAH ON THE PARSHAH

Parschas Vayeira 5771 פרשת וירא תשע"א

JUST JUSTICE

The Mishnah in Sanhedrin (10:3) compares the ultimate fate of two famously evil groups of people:

דור המבול אין להם חלק לעולם הבא, ואין עומדין
בדין... אנשי סדום אין להם חלק לעולם הבא... אבל
עומדין בדין.

“The Dor Hamabul (Generation of the Flood) does not have a share in the World to Come, but they *will not* have to stand for future judgment... The people of Sodom do not have a share in the World to Come, but they *will* have to stand for future judgment.”

The stories of both the Dor Hamabul and the people of Sodom had bad endings (for them) – they were both wiped out in a tempest of well-deserved destruction. And they both forfeited their share in the World to Come.

The difference lies in the next stage – the future Day of Judgment (i.e., at the time of the Resurrection of the Dead). The *Yad Ramah (Sanhedrin 107b)* explains: The Dor Hamabul had already “served their time” in this world. Having experienced the dreaded Flood, they need not be awakened in the future to stand judgment and receive further sentencing. While the people of Sodom also suffered in this world – having experienced a violent storm of fire and sulphur and the inversion of their city – their earthly punishment did not suffice. Their wickedness was much greater, and so they will have to stand judgment again in the future to discover what else is in store for them.

Neither of these two classes of people was exactly “angelic”; the works of Chazal are replete with a description of their numerous horrible acts. It is curious,

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then, to note that the evil of Sodom is considered to have surpassed that of their predecessors of the Flood Era.

The Maggid of Dubno’s exposition of a *passuk* in this week’s *parshah* might shed some light on the particular brand of Sodomite corruption.

THE HONORABLE...

The angels who came to destroy the city were lodging at the house of Lot, Avraham’s nephew. Amongst the numerous charming qualities of the residents of Sodom was their treatment of and complete intolerance for strangers and wayfarers. Soon, they had the house surrounded, demanding that the newcomers be handed over. Lot’s attempts to protect his guests and quell the crowd were unsuccessful, and they declared to him in derision:

האחד בא לגור וישפט שפוט עתה נרע לך מהם.

“This one came to dwell, and he has rendered judgment; now, we will harm you more than they” (*Bereishis 19:9*).

This phrase – וישפט שפוט – should catch our attention. Literally, it means, “And he judged judging” or “he judged a judgment,” the obvious superfluity of which begs for explanation.

The Maggid of Dubno reminds us that Lot had received a prestigious position in Sodom. Rashi (*ibid. v. 1*) states that Lot had that day been appointed as judge.

Apparently, Lot had quite a legacy to live up to by becoming a member of the Sodomite judiciary. The Gemara (*Sanhedrin 109b*) lists the names of four

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medicinal purposes). Now pay his rightful fee.”

And of course, there was the case of the young girl who was caught engaging in illegal activity. It was discovered that she had been secretly helping the poor, supplying them with bread. This was in direct violation of an official ordinance that rendered such behavior strictly forbidden. As punishment, she was doused in honey, and exposed to swarms of wild bees, which devoured her.

These are but a few of the many illustrations of the perversion for which Sodom was notorious. But there is a common thread throughout: everything was carried out within the “confines of the law.” The people of Sodom seemed to pay some lip-service to the idea of law and order. But in a cynical manipulation of the legal system, they succeeded in turning true justice on its head.

SODOM’S SURPRISE

It may be this very notion that set Sodom aside from even the Dor Hamabul. True, the people of the Flood Era were quite wicked, as the Torah attests that the land was filled with their acts of *chamas* (pillage). But the Sodomites distinguished themselves in that they incorporated evil into the law; as demonstrated by the names of their judges and their judicial activity, they *institutionalized* perversion. “Woe to those who say of evil – ‘it is good,’ and of good – ‘it is evil,’” (*Yeshayah 5:20*).

This, explains the Maggid of Dubno, is what shocked the Sodomites as they converged on Lot’s house. They expected their judges to preserve this unique brand of law, whereby the perpetrator is rewarded and the innocent is found guilty. Having appointed Lot to the bench, they assumed he would follow suit.

Imagine their surprise, then, when this newly appointed judge tried to chide them for mistreating strangers; Lot was acting outside the law! And so they berated him: “What do you think you’re doing? וְיִשְׁפֹּט שְׂפוֹט – You are adjudicating *actual justice!*” The last thing they expected was for a judge to be straight and fair.

of Sodom’s outstanding judges: There were Shakrai and his colleague Shakrurai (both of whose names stem from the same root: “*Sheker*” – falsehood). There was also the good judge Zeifee (as in זַיִפִּי – forge or falsify). They were joined on the bench by the distinguished Matzli Dina (perverter of justice).

A brief review of their practice in dispensing justice shows them worthy of these titles. A man would bring a claim, complaining of a familial tragedy. He related to the court how his wife was stricken by some ruffian, causing her to miscarry. The judges insisted on proper restitution. And so they instructed the assailant to take the victim’s wife for himself and only return her when she was expecting yet again.

A man who was attacked and wounded by another would bring his case before the court. Their decision: the victim must compensate his attacker. “But why?” the bloodied man would want to know. They answered: “He performed a service for you: blood-letting (which was then a common practice for

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