

A Litigious People (Devarim)

*"A jury consists of twelve persons chosen to decide who has the better lawyer."
– Robert Frost*

The dream of many a Jewish mother has long been to proudly proclaim "My Son, the Lawyer" just after "My Son, the Doctor." Why a profession so often maligned in popular culture earns such maternal admiration may be a mystery. However, its value is well documented throughout history.

Forms of public advocacy have existed since ancient times. In both Ancient Greece and Rome, there were unofficial advocates who, despite legal restrictions, were compensated discreetly to represent clients. It was not until around the year 40 CE that Emperor Claudius formally legalized paid legal advocacy in the Roman Empire. This marked the beginning of the legal profession as a recognized part of society.

The Jewish judicial tradition developed along a different path. It did not adopt formal legal representation for centuries. Even so, this did not lessen the intensity or regularity of disputes among the people.

Moses himself expresses concern about this in a poignant line from Deuteronomy 1:12:

"How can I alone carry your contentiousness, your burdens, and your quarrels?"

Rabbi Ovadia Sforno explains that the word "quarrels" refers specifically to lawsuits and financial claims. According to Sforno, Moses is addressing the people's eagerness to engage in legal disputes, even as they prepared to enter the land of Canaan.

Moses had just reminded the Israelites that they were on the verge of inheriting a land filled with opportunity and responsibility. Still, as Sforno interprets, internal conflicts continued. The level of disagreement was so significant that a judge had to be appointed for every ten individuals.

Sforno goes further, suggesting that some of these legal arguments were not driven by justice but by less generous intentions. His insight serves as a reminder that the spirit behind legal action is just as important as the case itself.

May any legal proceedings we undertake be guided by fairness and integrity. And may we find wisdom and success in the pursuit of what is right.

Shabbat Shalom,

Ben-Tzion

Dedication

To a new Torah project I'm working on that I'm calling "Aftermarket Rabbi." Anyone interested in learning more in the meantime, let me know.