

Shofetim 5785

שפטים תשפ"ה

## Appoint Judges and Officials

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*You shall appoint judges and officials throughout your tribes, in all your towns that the Lord your God is giving you . . .*  
([Deut. 16:18](#))

*Shemaiah used to say: love work, hate acting superior (rabbanut; literally “mastery,” or perhaps “the Rabbinate”), and do not attempt to draw near to the ruling authority.* ([M. Avot 1:10](#))

The year was 1752, the place Copenhagen, and Rabbi Yehonatan Eybeschutz, Chief Rabbi of Hamburg, Altona, and Wandsbeck, was on trial before the royal court of Denmark. King Frederick V himself was acting as the presiding judge. Altona was legally a province of Denmark, and the Altona City Council had turned to the king to resolve a controversy among the Jews that was breaking into violence in the streets. They had already tried placing Eybeschutz's opponent in the matter, Rabbi Yaakov Emden, under house arrest. Emden's escape to Amsterdam under cover of darkness made matters worse. The intensified presence of the city watch among the Jews only increased tensions. In desperation the burghers of Altona had turned to the king of Denmark.

The controversy was the result of a complex set of circumstances and motivations, but in brief, shortly after Eybeschutz took up his office as chief rabbi of the three cities in 1750, Emden had accused him of being the worst sort of heretic. Emden claimed that kabbalistic amulets Eybeschutz had issued to pregnant women in Frankfurt contained coded references to the false messiah Shabbatai Zvi, who had converted to Islam over 80 years earlier. These amulets revealed Eybeschutz's true colors and made him unfit for office, Emden claimed.

The communities of the three cities, and soon all the Jews of Europe, were split into two factions, each supporting one of these two famous rabbis, who were among the most learned of the day. Eybeschutz's supporters claimed that the charges were totally without merit and that Emden's charges were sour grapes that he had not been chosen as chief rabbi of the three cities himself. Emden's supporters responded that the codes in the amulets were easy to decipher and plainly referred to “Shabbatai Zvi King Messiah,” and that Emden had never wanted the job in the first place. He made a fine living as a printer of Hebrew books and did not need to be a community rabbi. Indeed, Emden was fond of saying that when he made the morning blessing praising God for not making him a slave, his intent was to express gratitude for not being the rabbi of a community.

Emden's idea, that the leader of a community is no more than a slave to its members, seems odd in light of the Torah's requirement in our parashah that every tribe is obligated to appoint leaders, judges, and officials to govern the community. The Torah clearly believes that community leaders are a good thing. How could Emden be so dismissive of authority?

However, when we look at the mishnah from Avot quoted above, it is clear that our Sages viewed authority as a double-edged sword, at best. In Rabbi Emden's commentary on the Mishnah, *Lehem Shamayim*, he brings this idea to the fore. Commenting on [M. Avot 1:10](#), he writes that the Mishnah is warning against the attractions of authority, for that is how the snare is laid, and one's losses will be greater than whatever one gains. Finally, he says, “. . . for the king is called the slave of the people.”

Indeed, our parashah's description of the ideal king ([Deut. 17:14-20](#)) is one who rejects material wealth: few horses, few wives, and little money. The king's power is limited to governance. A ruler who enriches himself is clearly corrupt. I believe that corruption of leadership is what Emden thought he was fighting against in his opposition to Eybeschutz. Not corruption from avarice, but perhaps something worse: he saw Eybeschutz as harboring a secret agenda, smoothing the way for a foreign influence into the hearts of otherwise good-hearted Jews.

That spring of 1752, Frederick V of Denmark demanded that Eybeschutz come before him and give his account of the amulets. The king was also concerned that Eybeschutz had been elected as chief rabbi fraudulently. Eybeschutz's advocate, a former student of his who had converted to Christianity, convinced the king of his innocence. The king cleared Eybeschutz of suspicion and placed a ban on any further accusations against the chief rabbi or his amulets. Secondly, the king ordered a new election of the chief rabbi. In December 1752 the community held a new election and Eybeschutz won reappointment easily.

But the ultimate conclusion of the episode was not so simple. The involvement of the king had created a non-Jewish political football: Though Altona was under Frederick's rule, Hamburg was a "free" city, independent of Danish control. Soon after his reelection as chief rabbi, the Hamburg City Council asserted its authority, rejecting both the king's verdict and Eybeschutz's reappointment. A new long, complicated legal battle began to formally define the office of the chief-rabbinate of the three cities and its powers.

Governance and the dangers of politics go hand-in-hand. But we must rule ourselves nonetheless: this is the commandment of the Torah. Most Jews live in democracies today and it is our obligation—indeed, I believe it is a mitzvah—to vote. It is my blessing that we are all able to fulfill this mitzvah in its proper time.

*This commentary originally appeared in 2020. It is indebted to the book [Mavericks, Mystics & False Messiahs](#) by Rabbi Pini*

*Dunner, which caused the author to reassess Emden's motivations in this affair.*