YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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***TEHILLIM* (SERIES II)**

**Rav Elchanan Samet**

**Shiur #23: Psalm 82 –**

**“How Long Will You Judge Unjustly…**

**All the Foundations of the Earth Are Shaken” (2,5)**

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| 1 A psalm of Asaf. | |
| I God stands in the congregation of God;  He judges among the judges. | IV 5. They know not, nor do they understand;  They walk on in darkness:  All the foundations of the earth are shaken. |
| II 2. How long will You judge unjustly,  and respect the persons of the wicked? (Sela.) | V 6. I had said, You are angels,  All of you sons of the most High. |
| III 3. Judge the cause of the poor and fatherless:  Vindicate the afflicted and needy.  4. Deliver the poor and destitute:  Rescue them out of the hand of the wicked. | VI 7. Nevertheless, you shall die like a man,  and fall as one man, O princes. |
| VII 8. Arise, O God, judge the earth:  For You shall possesses all the nations. | |

### I. Stanzas II-III: THe theme of the psalm and the identity of the speaker and His addressees

Our psalm, which is recited as the psalm of the day on Tuesdays,[[1]](#footnote-1) stands out in its uniqueness against the background of the character of the great majority of the psalms in the book of *Tehillim*. The main part of the psalm is an oration of rebuke delivered in prophetic style; only in the concluding section, stanza VII, do we find an appeal directed to God.[[2]](#footnote-2)

Our psalm gives rise to two questions, the answers to which are vital for understanding its plain meaning:

* Who is the speaker in the psalm, and is he the one and only speaker in the psalm?
* To whom (or about whom) is he speaking?[[3]](#footnote-3)

Although the identity of the speaker and his addressees is not explicitly stated in the psalm, the manifest content of the psalm and its theme are discussed at length in the heart of the psalm (stanzas II-III-IV). Defining the theme of the psalm will provide us with a stable anchor for interpreting the entire psalm, and also help us answer the two questions that we raised above.

Immediately following the opening verse (stanza I), the speaker in our psalm harangues his addressees with words of rebuke that leave no room for mistaking his intention:

2 How long will You judge unjustly,

and respect the persons of the wicked? (Sela.)

Under discussion here is the realm of judgment. Corresponding to the command found in the book of *Vayikra* (1:15), "You shall do **no** unrighteousness in judgment," the speaker rebukes his listeners, saying **"How long"** will you transgress this command and judge unjustly? Cease what you are doing! The same verse in *Vayikra* contains the prohibitions: "You shall not respect the person of the poor, nor honor the person of the mighty; but in righteousness shall you judge your neighbor." Our psalm discusses a more serious show of respect and honor, which does not appear in the verse in *Vayikra* – respecting the person of **the wicked** in judgement.[[4]](#footnote-4)

The rebuke in stanza II consists of an imperative to "turn away from evil." It is complemented by the rebuke in stanza II, which consists of an imperative to "do good":

3 Judge the cause of the poor and fatherless;

Vindicate the afflicted and needy.

4. Deliver the poor and destitute;

Rescue them out of the hand of the wicked.

This clause clarifies who the victims of the injustice are and at whose expense honor is being shown to the wicked, regarding which rebuke was sounded in the previous clause: "the poor and fatherless," the afflicted and needy," and "the poor and destitute." These are the people who are not being judged righteously vis-à-vis the wicked. Therefore, this leads to the demand: "Judge [righteously] the cause of the poor and fatherless" in their quarrels with the wicked, and "vindicate the afflicted and needy" – of course, when they are correct in their claims.

It stands to reason that in verse 3, the poor person is suing the wicked one, whereas in verse 4, the wicked person is suing the poor one. Therefore, the demand in verse 4 is to rescue the poor person from the wicked one who is oppressing him with his claims.[[5]](#footnote-5)

Who then are the addressees of this rebuke? Now the answer is clear: They are the **judges** who are sitting on the cases of other people, and who are commanded to judge justly. These judges fail in the task and show honor to the mighty and wicked at the expense of the weak and poor.

And who is sounding this rebuke? It stands to reason that it is the **psalmist** himself. Another possibility proposed by various modern commentators is that it is God who is delivering these words of rebuke, but this interpretation is difficult on several counts.[[6]](#footnote-6)

### II. Stanza IV: the failure of the rebuke and its consequence – "All the foundations of the earth are shaken"

Does the psalmist's rebuke make any impression whatsoever on the unjust judges? Has it any positive impact? These questions are answered in stanza IV: "They know not, nor do they understand." These are "the words of the psalmist who rebuked them," as proposed by the Ibn Ezra. With these words, the psalmist describes the lack of response on the part of the judges: "They remained silent as if they did not know" (Ibn Ezra). R. Yeshaya explains these words in a slightly different manner: "'They know not' – that is to say, they did not pay attention to this [the rebuke], but rather 'they walk on in darkness' – to pervert justice and distort it."[[7]](#footnote-7)

The reason that the judges do not respond to the rebuke is clarified by the Ibn Ezra's explanation of the metaphor "they walk on in darkness": "For a bribe blinds the eyes of the wise, and perverts the words of the righteous" (*Devarim* 16:19). In other words, the bribery (whether an actual bribe or simply class identification with the mighty villains) blocks the minds of the judges from understanding the words of rebuke directed at them by the psalmist. According to this interpretation of the Ibn Ezra, the first two lines of stanza IV are connected as follows: "They know not, nor do they understand; **because** they walk on in darkness."

The psalmist concludes his words regarding the judges' disregard of his rebuke with a cry of despair: "All the foundations of the earth are shaken" – "The foundations of the earth deserve to collapse because of the perversion of justice" (Ibn Ezra). What does this mean?

R. Yitzchak Arama, who explains our psalm in chapter forty-three of his book *Akeidat Yitzchak* (pp. 91-92), explains the expected consequence of the judges' perversion of justice – "all the foundations of the earth are shaken' – by way of three sources that clarify the matter:

This is the opposite of what they said: "Every judge who judges with complete fairness… it is as if he has become a partner to the Holy One, blessed is He, in the creation" (*Shabbat* 10a), because the world truly stands on justice (*Avot*, end of chapter 1),[[8]](#footnote-8) and it is written: "The king by justice establishes the land" (*Mishlei* 29:4).

The author of the *Akeida* brings one verse and two teachings of *Chazal* which draw a positive connection between executing justice and the continued existence of the world. Thus the verse in our psalm is explained by way of negation: The perversion of justice causes the world's foundations to collapse.

It would seem, however, that a distinction can be made between the two last sources brought by the *Akeida* and the first source.

The verse in *Mishlei* claims that the king establishes his land through the justice that he executes there. The word *eretz* is used there in the sense of "country." It is the judicial system that maintains the social organization in the framework in which people live. This is also what R. Shimon ben Gamliel means in tractate *Avot*: "The world (*olam*) stands on three things" (see note 7). This "*olam*" is the **social world** in which humans live.[[9]](#footnote-9) The verse, "All the foundations of the earth are shaken," based on these two sources, means that the perversion of justice will cause **the foundations of society** to collapse.[[10]](#footnote-10) This result is logical and manifestly clear.

However, the first source that the *Akeida* brings from tractate *Shabbat* connects the execution of justice to the physical, created world. A judge who judges fairly is "as if he has become a partner to the Holy One, blessed is He, in the creation."[[11]](#footnote-11) According to this, the verse in our psalm, "All the foundations of the earth are shaken," can be understood in accordance with its plain sense. Perverting justice and honoring the person of the wicked, while oppressing the poor and the weak of society, will lead to a collapse of the world itself – the **physical** destruction of the world![[12]](#footnote-12)

This destruction of the world is not a punishment, but rather a predictable consequence of the perversion of justice: "The foundations of the earth deserve to collapse because of the perversion of justice" (Ibn Ezra). But here we may ask: What is the causal connection between executing justice and the continued existence of creation, and what is the connection between the perversion of justice and the physical collapse of the foundations of the earth?

It would appear that according to our psalm's understanding (and so too according to the exposition in tractate *Shabbat* and other sources[[13]](#footnote-13)), justice and righteousness are part of the conditions for the continued existence of the world as it was created by God. Just as the world was created in accordance with the laws of nature that were established by the Creator, and without which the world cannot exist,[[14]](#footnote-14) so too God created the laws of justice and righteousness for His world, without which the world cannot exist. The laws of justice and righteousness parallel the laws of nature, but the latter are the responsibility of the Creator, whereas the former are the responsibility of man. When a person fulfills the laws of justice and righteousness he becomes a partner with God in the maintenance of the world; when, however, he perverts those laws, he brings to the actual destruction of the world.[[15]](#footnote-15)

### III. Stanza I: who are "the congregation of GOd" and Who is "*Elohim*"

Thus far, we have analyzed the heart of the psalm, stanzas II-IV. These stanzas are surrounded by a framework: stanza I before them, and stanzas V-VI after them. (In the next section, we will see the connection between stanza I and stanzas V-VI, a connection that justifies defining them as a framework.) Do the stanzas comprising the framework accord with the conclusions that we reached in the wake of our interpretation of stanzas II-IV? Does our definition of the theme of the psalm, and in its wake our determination of the identity of the speaker and his addressees, fit with the stanzas that comprise the framework?

Stanza I paints us a very lofty picture:

God (*E-lohim*) stands in the congregation of God (*adat E-l*);

He judges among the judges (*elohim*).

The subject of the verse is *E-lohim*, God; it is He who stands in the congregation of God, *adat E-l*, and who judges among "*elohim.*" Who is this "*adat E-l*" among whom God stands, and who is the "*elohim*" among whom God judges?

The Biblical expression that comes closest to *adat E-l* is *adat HaShem*, which, in each of its four appearances in Scripture, refers to the people of Israel.[[16]](#footnote-16) This meaning does not fit our verse, both because of its second clause, which appears to parallel the first, and because of the continuation of the psalm, which does not deal with Israel.[[17]](#footnote-17)

Who is the *elohim* in the second clause of the verse? The term clearly does not refer to God, for God is the subject of the verse, and it is He who judges "among *elohim*."

In the book of *Shemot*,judges are several times referred to as "*elohim*":

*Shemot* 22:7: The master of the house shall be brought **to the judges (*elohim*),** to swear that he has not put his hand to his neighbor's goods.

*Shemot* 22:8: The cause of both parties shall come **before the judges (*elohim*).** And whom **the judges (*elohim*)** shall condemn, he shall pay double to his neighbor.

*Shemot* 22:27: You shall not revile **the judges (*elohim*),** nor curse the ruler of your people.[[18]](#footnote-18)

This term as a designation of judges appears for the first time in the book of *Shemot* in the passage dealing with a Hebrew slave:

*Shemot* 21:6: Then his master shall bring him to **the judges (*elohim*);** he shall also bring him to the door, or to the door post.

In that context, the commentators explain the meaning of this designation. The Ibn Ezra in his long commentary writes: "The word '*elohim*,' like those who keep God's judgment on the earth." And in his short commentary: "And they are called '*elohim*,' because they are God's officials on the earth." According to both of the Ibn Ezra's explanations, judges are called "*elohim*" because God is the source of their authority to judge, or because they are His appointments, or because the law based on which they judge is "God's judgment."

The Ramban explains this designation for judges in a different manner:

In my opinion… to allude that God should be with them in the judgment, He will find innocent and He will find guilty… And so Moshe said: "For the judgment is God's" (*Devarim* 1:17). And so also said Yehoshafat: "For you do not judge for man, but for the Lord, who is with you in the judgment" (II *Divrei Ha-Yamim* 19:6). And so the verse states: "God stands in the congregation of God; He judges among the judges (*elohim*). That is to say, he judges among **the congregation of God,** because God is the judge.

According to the Ramban's explanation, judges are called "*elohim*" because God partners with them in the very process of judgment. They are "God's congregation," and He acts among them. The Ramban cites the verse from our psalm in support of his explanation, and this is indeed stated in the psalm: "God… judges among the judges."

Let us now return to explain the phrase, "the congregation of God (*adat E-l*)." Based on the parallelism, here too the reference is to the judges, who are God's congregation. He stands among them to render judgment along with them. Indeed, the word *eda* is found several times in Scripture in the context of judgment as a designation for judges:

*Bamidbar* 35:24: Then **the congregation (*eda*)** **shall judge** the slayer and the revenger of blood according to these judgments.

*Bamidbar* 35:25: And **the congregation (*eda*)** shall deliver the slayer out of the hand of the revenger of blood, and **the congregation (*eda*)** shall restore him to the city of his refuge.

*Tehillim* 1:5: Therefore the wicked shall not stand in **the judgment,** nor sinners in **the congregation of the righteous.[[19]](#footnote-19)**

Now that we have clarified the meaning of the psalm's opening verse in its entirety, we must clarify its function as an introduction to the psalmist's rebuke of the judges in the verses that follow.

This does not require much explanation. The opening verse lays the theological groundwork for the psalmist's rebuke that immediately follows: Since God is a partner in the judgment process of human judges, He cannot tolerate injustice on their part. "How long will you judge unjustly" – thereby you **desecrate** the judgment process, and deny the silent partner in the worthy judicial act.[[20]](#footnote-20)

Similar words of reproach directed at judges on an identical religious basis appear in two other places in Scripture. There, however, they are conveyed to the judges at the beginning of their judicial activity, in order to prevent them from the outset from judging unjustly.[[21]](#footnote-21)

*Devarim* 1:16: And I charged your judges at that time, saying: Hear the causes between your brothers, and judge righteously between every man and his brother, and the stranger that is with him.

*Devarim* 1:17: Do not respect persons in judgement… do not be afraid of the face of any man, **for the judgment is God's.**

When Yehoshafat appoints judges in the land, he commands them as follows:

II *Divrei Ha-Yamim* 19:6: And he said to the judges, “Take heed what you do; **for you do not judge for man, but for the Lord, who is with you in the judgment**.”

II *Divrei Ha-Yamim* 19:7: “And now let the fear of the Lord be upon you; take heed and do it: for there is no iniquity with the Lord our God, nor respect of persons, nor taking of gifts.”

Note how close the words of rebuke in our psalm and their religious foundation are to these two orations, that of Moshe and that of Yehoshafat.

The idea of partnership between human judges and God, and the weight of the responsibility that follows from it, is repeated in several *midrashim* of *Chazal*, based on the opening verse of our psalm. Thus we find in tractate *Sanhedrin* (7a):

R. Shemuel bar Nachmani said in the name of R. Yonatan: A judge who delivers a judgment in perfect truth causes the *Shekhina* to dwell in Israel, for it is written: "God stands in the congregation of God; He judges among the judges." And he who does not deliver judgments in perfect truth causes the *Shekhina* to depart from the midst of Israel, for it is written (*Tehillim* 12:6): "Because of the oppression of the poor, because of the sighing of the needy, now will I arise, says the Lord."

Similarly, in *Midrash Tehilim* at the beginning of our psalm:

…That the judges should not say: We sit by ourselves in judgment. Rather the Holy One, blessed is He, says to the judges: Know that I sit with you, as it is stated (*Yeshayahu* 61:8): "For I the Lord love judgment." And if you have perverted the judgment, it is I whom you have perverted… This is: "He judges among the judges" – He judges in the midst of the judges.

This is also the way that some of the commentators explain verse 1 in our psalm and its use as an introduction to the rebuke in the following verses. The Ibn Ezra in his second explanation of the words, "He judges among the judges," writes:

Like "You shall not revile the judges." This means: For He is among them, and they must be careful not to judge unjustly. (And in his explanation of verse 2): Now he rebukes the judges, who are "*elohim*."

Similarly R. Yeshaya:

"God stands in the congregation of God" – in the congregation of judges, which is the congregation of God. The Creator stands there, and among that congregation, God judges, and knows who is innocent in his judgment and who is liable… And you the judges, since the Creator judges among you, "How long will you judge unjustly, etc.?"[[22]](#footnote-22)

(To be continued)

(Translated by David Strauss)

1. We will discuss this use of our psalm in the appendix to this study. [↑](#footnote-ref-1)
2. We will discuss the literary genre of our psalm later in this study, in section VII. [↑](#footnote-ref-2)
3. As stated above, the psalm's conclusion in verse 8 is clearly directed to God, but it is evident that the appeal in the conclusion is very different from the body of the psalm. [↑](#footnote-ref-3)
4. The prohibition to respect the person of the poor or of the mighty, which is derived from the verse in *Vayikra*,is understood by the *Sifra* to include respect stemming from positive intentions, such as compassion for the people in question. This is what Rashi writes, based on the *Sifra*:

   “You shall not respect the person of the poor” – You shall not say: This is a poor man, and the rich man is obligated to support him. I will find in favor of him [the poor man], and he will consequently obtain support in a respectable fashion.

   “Nor honor the person of the mighty” – You shall not say: This is a rich man, or this man is of noble descent; how can I put him to shame and be witness to his shame?"

   In contrast, respecting the person of the wicked, which is the subject of the rebuke in our psalm, stems from moral corruption and identification with the wicked, and from the continuation, in stanza III, it becomes clear that this has a sharp social dimension. [↑](#footnote-ref-4)
5. Various commentators proposed several distinctions between verse 3 and verse 4. The Radak, for example, sees verse 3 as a demand for justice **in monetary matters,** whereas verse 4 is a demand "that he not oppress him **in his body."** [↑](#footnote-ref-5)
6. Had the author of our psalm wished to put the oration in the mouth of God, he would have informed us about that, as we find in another psalm of Asaf, Psalm 50:

   1. The mighty one, God, the Lord, **has spoken, and called** the earth…

   4. **He calls** to the heavens above, and to the earth, that He may judge His people.

   5. Gather My pious ones together to Me; those that have made a covenant with Me by sacrifice.

   8. I will not reprove you for your sacrifices.

   16. But to the wicked man **God says,** What have you to do to declare My statutes, or that you should take My covenant in your mouth?

   In our psalm, however, no notice is given that the rebuke comes from the mouth of God.

   Neither does the content of the rebuke in our psalm testify to the fact that the speaker is God (as is the case in the psalm brought above, or in other psalms, such as *Tehilim* 95:8-11).

   Furthermore, several verses in our psalm are certainly not the words of God: Verse I, "God stands in the congregation of God…," and verse 8: "Arise, O God, judge the earth," which describe God in third person, were certainly uttered by the psalmist. Since there is no evidence in our psalm of a change in speaker, it stands to reason that the entire psalm was uttered by one speaker – the psalmist himself. [↑](#footnote-ref-6)
7. The lack of response on the part of the judges to the words of rebuke are described in terms of not knowing and not understanding, and also as walking in the darkness, and not in terms of rejection and opposition to the words of the rebuker. (The reason for this will be explained below.) This led several commentators to explain verse 5 in ways different from the explanation brought above. The Meiri, for example, writes: "He spoke about one type of judges… those who do not know the ways of judgment… but rather walk through it in darkness." If so, according to his explanation, this verse as well is a continuation of the rebuke in the previous verses, even though the psalmist speaks in it **about** the judges, and not to them. [↑](#footnote-ref-7)
8. "R. Shimon ben Gamliel says: On three things does the world stand (*kayyam*): **on justice,** on truth and on peace, as it is stated: 'Judge you truthfully and a judgment of peace in your gates' (*Zekharya* 8:16)." See also next note. [↑](#footnote-ref-8)
9. That we are dealing with the social world is evident both from the connection between the three things – justice, truth and peace – and from the verse from which R. Shimon ben Gamliel learned this: "A judgment of peace **in your gates."** It is not clear that this is also the way to understand the words of Shimon the Righteous, appearing at the beginning of that chapter in *Avot* (1:2): "On three things does the world **stand (*omed*):** On the Torah, on service and on the performance of acts of charity." This statement may refer to the concrete, physical world. [↑](#footnote-ref-9)
10. We find a similar metaphor for moral-social corruption in *Tehilim* 11:3: "For when **the foundations** (*shatot*)are destroyed." The word *shatot* means foundations, and the verse means to say "that the pillars of society have been destroyed, and there is no order or regime." See our study of Psalm 11, section III. [↑](#footnote-ref-10)
11. This is a *baraita* brought by the Amora R. Chiya bar Rav of Difti, who learns this from a verbal analogy. About Moshe, who judged the people, the verse says (*Shemot* 18:13): "And the people stood by Moshe **from the morning to the evening."** And in the creation story, it says (1:5): "**And it was evening and it was morning,** one day." [↑](#footnote-ref-11)
12. The Radak and other commentators who explain our verse in this manner cite a precedent: "'All of the foundations of the earth will collapse' – the world will be destroyed, because the flood came to the world because of violence (*Bereishit* 6:13)." However, in the story of the flood, no mention is made of perversion of justice. It may also be argued against this explanation that "all of the foundations of the earth will collapse" is not described here as a punishment, as is the case in the story of the flood, but rather as a predictable consequence. [↑](#footnote-ref-12)
13. In the appendix to this study, we will bring R. Akiva's exposition of our psalm, which also alludes to the connection between the standing of the world and righteous judgment. [↑](#footnote-ref-13)
14. See *Bereishit* 8:22; *Yirmeyahu* 32:34-35; and elsewhere. [↑](#footnote-ref-14)
15. Concerning man's responsibility through his actions for the physical existence of the created world, *Chazal* in *Kohelet Rabba* expounded the verse there (7:13): "Consider the work of God; for who can make that straight, which he has made crooked?":

    When the Holy One, blessed is He, created Adam, He took him and brought him to all the trees in the Garden of Eden, and said to him: “See My deeds, how becoming and praiseworthy they are. And all that I have created, I created for you. Take heed that you not ruin and destroy My world, for if you ruin it, there is nobody to repair it after you."

    This *midrash* does not explain which wicked deeds are liable to ruin the world. But it seems that man's actions that are liable to lead to "ruin" and to "the destruction of the world" are not in the ecological sphere, as the *midrash* is explained in our times, but rather in the social, moral, and religious sphere. [↑](#footnote-ref-15)
16. In the Torah: "That **the** **congregation of the Lord** not be as sheep which have no shepherd" (*Bamidbar* 27:17); "And so the plague was among **the congregation of the Lord"** (*Bamidbar* 31:16). And two more times in the book of *Yehoshua* (22:16; 22:17). [↑](#footnote-ref-16)
17. Even so, several commentators explained the verse in this manner: Ibn Ezra: "The glory which is with **the congregation of Israel** will judge among the judges…." The Radak: "His glory is **with them** to oversee their actions **more than those of the other nations."** And similarly the Meiri. According to the explanation of the Ibn Ezra, there does not seem to be any parallelism whatsoever between the two parts of the verse. The Radak and the Meiri tried to preserve a certain parallelism, but the second clause is very restricted in relation to the first: From the people of Israel as a whole, whose actions are examined by God, the second clause moves to the judges of Israel alone, whose judgment is examined by God.

    The result of these explanations is the restriction of the rebuke in our psalm to the judges of Israel alone, this standing in opposition to what is implied by the last verse in the psalm: "Arise, O God, judge **the earth:** for You shall possesses **all the nations."** See below, end of section V. [↑](#footnote-ref-17)
18. Onkelos renders the word *elohim* as *dayana*, "judge." This is also indicated by the parallelism between the two clauses in the verse. This is also the understanding of Rabbeinu Sa'adya Gaon, Rashbam, Ibn Ezra, Chizkuni, and Seforno. (The Rashbam explains the verse in *Devarim* 21:23: "*Ki killelat elohim taluy*": "When the people see a person who has been hanged, they curse the judges; therefore, He commands: 'His body shall not remain all night upon the tree.’") [↑](#footnote-ref-18)
19. We explained this verse as an example of deficient parallelism, in which the "judgment" is done "in the congregation of the righteous," those who judge the wicked sinners. The Aramaic translation of our psalm renders the expression *adat el* as: "congregation of the righteous." [↑](#footnote-ref-19)
20. This connection between stanza I and stanzas II-III which follow it also finds expression in a stylistic phenomenon that connects them: The root *sh-f-t* connects stanza I to stanza II, and stanza II to stanza III: "He **judges** (*yishpot*) among the judges. How long will You **judge** (*tishpetu*) unjustly… **Judge** (*shiftu*) the cause of the poor and fatherless." [↑](#footnote-ref-20)
21. The Ramban (in the passage cited above) refers to these two sources. [↑](#footnote-ref-21)
22. Alongside the explanation that we brought earlier for verse 1, there is a similar explanation with a slight difference, and it too we find in the *midrashim* of *Chazal* and in the commentaries of the *Rishonim*. According to this explanation, the verse that opens our psalm is not stated as a lofty religious proclamation, but rather as a warning and threat to the judges, and it is part of the rebuke itself (*Sanhedrin* 6b):

    R. Yehoshua ben Korcha says: Judges should also know whom it is they are judging, before whom they are judging, **and who will call them to account,** as it is written: “God stands in the congregation of God."

    And similarly, Rashi: "‘God stands in the congregation of God’ – **to see whether** they judge truthfully.” And similarly the Radak and the Meiri: "'*Be-kerev elohim*' – Among the judges, **to see** whether they will judge justly as they are commanded. And if they do not do this, He knows and will visit their iniqities upon them."

    According to these explanations, the verse means that God stands in the congregation of judges, not as one **who judges** the other people **along with them,** but rather as one who comes **to judge the judges themselves** and to examine whether they judge justly or unjustly. The connection between this verse and the rebuke that follows is smoother according to this explanation, and it has another exegetical advantage, one that was noted by Prof. Y.M. Grintz, in his book, *Motza'ei Dorot* (5729), p. 254, note 41:

    God is always portrayed as **sitting** in His household, with the host of heaven **standing** above him (see I *Melakhim* 22:19 and *Daniel* 7:9-10), and all the more so when we are dealing with judgment. In such a case [of judgment], we cannot reverse the accepted arrangement and portray God as standing… As for the verb that is used here ("God **stands [*nitzav*]"**), it perforce has a different meaning… In relation to God, it is always used in the sense of God's standing **over** people… And in particular it is used in the context of judgment over people. This is especially evident in *Yeshayahu* 3:13: “The Lord **stands** up to plead, and **stands** to judge the peoples.” The same is true regarding the parallel root *kof-vav-mem*. See *Yeshayahu* 2:19, 21: “When **He arises (*be-kumo*)** to shake mightily the earth.” And in our psalm, verse 8: **“Arise (*kuma*),** O God, judge the earth.” It is clear, then, that in our psalm as well, God **stands to judge the judges of the earth.**

    Despite what we have said in this note, the explanation brought in the body of the study seems to be the most persuasive. We will resolve the difficulties raised by Grintz against our explanation in a note in the next section. [↑](#footnote-ref-22)