

Shoftim: Two Forms of Witnesses

Based on the teachings of the Lubavitcher Rebbe, Rabbi Menachem M. Schneerson

In the Torah portion of *Shoftim* we learn: “The testimony of one witness does not stand against a person with regard to any sin or iniquity that he may have committed; a case can be established [only] through the testimony of [at least] two or three witnesses.”¹

Specifically, there are two categories of witnesses: a) witnesses who verify specific facts or events;² b) witnesses who were themselves an integral part of the events.³

An example of the first category are witnesses to a loan, whose sole purpose is to verify the deed. They have no part in the legal transaction; even if the loan were transacted without witnesses the borrower is no less obligated to repay the lender.

An example of the second category are witnesses to a marriage; their presence constitutes an integral part of the ceremony itself; according to Jewish law⁴ a couple cannot become husband and wife without the presence of bonafide witnesses.

These two categories of witnesses, witnesses who verify and witnesses who are an integral part of the event itself, exist within a spiritual context as well.

Scripture states:⁵ “You are My witnesses,” says the L-rd.” In commenting upon this verse, the *Zohar* provides two explanations:⁶ a) “You” refers to the Jewish people; b) “You” refers to heaven and earth, concerning which it is written,⁷ “Today I call heaven and earth as witnesses before you.”

These two sets of witnesses, the Jewish people and heaven and earth, correspond to the two previously described categories of witnesses in the following manner:

The testimony of witnesses is only germane to a matter that is otherwise concealed; something that is revealed to all does not require witnesses.⁸

In a spiritual sense this means witnesses are not needed to testify to the fact that G-d provides life, for this is known to all.⁹ One need but observe the manner in which the universe is conducted and one will readily perceive G-d's handiwork and the Divine life force that vivifies all creation.

Even with regard to G-dliness that can only be believed in but not perceived, witnesses and testimony are superfluous. For although this degree of G-dliness cannot be grasped intellectually, intellect itself decrees that there are levels of Divinity that go beyond the bonds of intellect. Once a thinking person concludes that G-dliness must permeate this world in order for it to exist, he will eventually realize that the degree of G-dliness that provides this world with life is not the most critical; there are levels that entirely transcend the world and man's intellect.

Therefore, with regard to this level as well, the testimony of witnesses is not germane, for though this level of G-dliness is not in a state of revelation — it is suprarational — nevertheless, intellect itself demands that it exist. Therefore, this level too falls within the purview of “something that will eventually be revealed to all,” concerning which testimony does not apply.

Testimony and witnesses do, however, apply to G-d’s *essence*, which is totally concealed from intellect, and indeed is concealed from any revelatory level. Here, witnesses are necessary to *reveal* His essence. This is accomplished in ways reflecting the two types of witnesses:

The infinite power vested within heaven and earth serves as “ascertaining witnesses” to G-d’s true infinitude; the Jews’ ability to draw down G-d’s essence within this world through their spiritual service is the form of witnessing wherein the witnesses are “witnesses who are an integral part of the event itself.”

Jews are able to accomplish this because they are rooted in G-d’s essence; they are therefore able, through their service of Torah and *mitzvos*, to draw His Essence into this world.

Based on *Likkutei Sichos* Vol. XIX, pp. 188-196.

FOOTNOTES

1. *Devarim* 19:15.
2. See *Kiddushin* 65b.
3. See *Tumim* 90:14.
4. *Kiddushin* *ibid.*; *Rambam Hilchos Ishus* 4:6; *Tur* and *Shulchan Aruch Even HaEzer* 42:2 and commentaries *ibid.*
5. *Yeshayahu* 43:10; *ibid.* verse 12.
6. *III* 86a.
7. *Devarim* 30:19.
8. *Likkutei Torah, Pikudei* 4a and onward. See also discourse titled *VaYakam Eidus* ch. 1, in *Sefer HaMa’amarim* 5700.
9. See *Likkutei Torah, Vaes’chanan* 6a and onward; *ibid. Emor* 31b and onward; *Sefer HaMitzvos* of the *Tzemach Tzedek*, *Mitzvos HaAmonas Elokus* ch. 1, *et al.*

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