

פרשת שפטים

**שפטים ושטרים תתן לך בכל שעריך אשר ה' אלקיך נתן לך לשבטיך ושפטו את העם משפט צדק
"Judges and officers shall you appoint for yourselves in all your cities - which Hashem,
your G-d, gives you - for your tribes; and he shall judge the people with righteous
judgment" (16:18)**

What is the connection between the commandment at the end of the previous parsha to give as much money as is within one's means to charity and the beginning of this parsha which discusses the appointment of judges? The Kli Chemda writes that the juxtaposition of these two laws is meant to teach us an important lesson. People who support judges and rabbis financially are not exempt from respecting and honoring them. Even though they may have appointed them and they may pay for their salaries, they are not immune from the rulings of these judges. Nobody is above the law. There must be fairness and justice and a rabbi or judge does not owe anything to anybody. Those who support them must not make them feel that they are indebted to them. It is important that judges not be afraid of anyone so that they can make halachic decisions properly.

**לא תטה משפט לא תכיר פנים ולא תקח שחד כי השחד יעור עיני חכמים ויסלף דברי צדיקים
"You shall not twist judgment; you shall not respect persons; neither shall you take a gift;
for a gift blinds the eyes of the wise and perverts the words of the righteous" (16:19)**

There were two towns in Europe in the 17th century that had a dispute. They each chose scholars to represent their cases in a Din Torah. One of these representatives was the Shach, the author of the famous commentary Sifsei Kohen on Shulchan Aruch. Both scholars presented their cases and the judge ruled against the Shach. Afterwards, the Shach asked the judge why his proofs had been insufficient to win the case. The judge responded that there was a new sefer called Sifsei Kohen that disproved his line of reasoning. Afterwards, the Shach commented that we can learn from this episode how personal interests can blind a person to the truth. He was so convinced that his case was correct that he forgot something which he wrote in his own book to the contrary.

Whenever we are in a situation that we have personal interest in, it is important to take a step back and try to look at the situation objectively. If we are able to do that, we will see things that we were unable to see before and be able to resolve conflicts amicably.

**שום תשים עליך מלך אשר יבחר ה' אלקיך בו מקרב אחיך תשים עליך מלך לא תוכל לתת עליך איש נכרי אשר
לא אחיך הוא**

**"You shall place a king over you, whom Hashem, your G-d, shall choose; from among your
brothers shall you place a king over you; you may not put a foreigner over you who is not
thy brother" (17:15)**

The Kli Yakar asks: If Hashem commanded the nation to appoint a king and outlined the requirements of a king in the Torah, why was He upset with them when they asked for a king in the time of Shmuel? He answers that the Torah provides for a king in order to achieve a specific purpose. The Torah says that "you shall place a king over you." Hashem knew that after the people became settled in Eretz Yisrael, they would become complacent and, without any leadership structure, every person would do as they pleased. A king was needed to be placed over the people so that they would be kept in line. This is the function of the king. In the time of Shmuel, the people asked to "appoint a king for us." They wanted to appoint a king that would be for them rather than over them, a king that they could manipulate and control rather than the other way around. They wanted to be "like all the other nations" who told their rulers what to do. While this does not mean that the people should not have any decision-making power, it does mean that leaders are not meant to be controlled by their constituents. Power should rest in the hands of the leaders rather than the people that are being led. However, the Torah impose certain rules upon the king to ensure that this power does not go to his head. He must be able to separate between his personality and his official position. He must remain humble in all that he does and be a responsible leader.

**ועשיתם לו כאשר זמם לעשות לאחיו וביערת הרע מקרבך
"And you shall do to him as he had proposed to do to his brother and you shall put away**

the evil from your midst" (19:19)

Rashi, based on the Gemara in Sanhedrin, comments that since the posuk says that false witness gets the punishment that he intended to bring upon "his brother," we learn that if a witness testifies falsely against a Kohen's daughter that she committed adultery, they get the punishment of the man (chenek) rather than the punishment of the Kohen's daughter (seraifa).

The Meshech Chochma explains that seraifa is a unique punishment in that it is reserved for a few cases of adultery. When they hear that witnesses were punished with seraifa, they may not believe that they were lying and will cast aspersions on the Kohen's daughter and her family. Therefore, the Torah said that they should get the man's punishment which is a more widespread death penalty and nobody would suspect the Kohen's family of any wrongdoing. We see from here how much the Torah cares about people and their honor. Even though people should not be spreading rumors because the witnesses were clearly lying, the Torah does whatever it can to ensure that nobody's reputation is needlessly damaged.