

## פרק א · משנה ח

יהודה בן טבאי ושמעון בן שטח קיבלו מהם  
יהודה בן טבאי אומר:

אל תעש עצמך \_\_\_\_\_  
וכשיהיו בעלי דינין עומדים לפניך, יהיו בעיניך \_\_\_\_\_  
וכשנפטרים מלפניך, יהיו בעיניך \_\_\_\_\_, כשקיבלו עליהם את הדין.

1. Don't act as a lawyer.
2. While the litigants stand before you, consider them both to be guilty.
3. When they depart from you, consider them both to be innocent  
– if they have accepted the פסק (ruling).

A lawyer is a person whose job is to help his client prepare his case before the court, *no matter what the truth is*. Unfortunately, people can “get away with murder” by hiring a skilled lawyer to defend themselves. This is not the Torah way! The ideal Torah way is for the litigants involved in dispute to personally stand before the court; the court will interrogate the parties directly in order to come to the **TRUTH** of the situation, based on their **OWN WORDS**.

In the famous story of the two women who each claimed that the living baby was hers, how did **שלמה המלך** reunite the true mother with her child?? (מלכים ג: ט"ז)

How could involving lawyers have prevented this justice??

## פרק א · משנה ט

שמעון בן שטח אומר:

הוי מרבה \_\_\_\_\_ את העדים, והוי זהיר בדבריך שמא מתוכם ילמדו \_\_\_\_\_.

1. Interrogate the witnesses extensively – very much.
2. Be careful with your words; maybe from your words they'll learn to lie.

**משל:** Imagine the following conversation:

Child: Mommy, may I go out to play with my friends?

Mother: Tell me, have you done your homework?

Child thinks: *Hmmm... Now I know that unless I've done my homework, the answer will be "no".*

Child: ...Ummm, yeah, I (sort of kind of) did my homework...

Now imagine that the conversation went like this:

Child: Mommy, may I go out to play with my friends?

Mother: Is there anything you need to do before you go out and play?

Child thinks: *I'd better do my homework!*

Child: Yes... I have some homework to do first...

**נמשל:** A judge must be careful to avoid providing witnesses with unnecessary information about the case or the law!

*These משניות offer us a glimpse into the justice of the Torah's legal system that Hashem intends for us  
- which is as fair as humanly possible!*