

SELECTIONS FROM PARASHAT SHOFTIM

שֹׁפְטִים וְשֹׁטְרִים תִּתֶּן־לָהּ בְּכָל־שְׁעָרֶיהָ אֲשֶׁר יִתֶּנָּה אֱלֹהֶיהָ נָתַן לָהּ לְשֹׁפְטִים וְשֹׁפְטֵי אֶת־הָעָם מִשְׁפַּט־צֶדֶק:

You shall appoint magistrates and officials for your tribes, in all the settlements that the LORD your God is giving you, and they shall govern the people with due justice.

לֹא־תִטֶּה מִשְׁפָּט לֹא תִכִּיר פָּנִים וְלֹא־תִקַּח שֹׁחַד כִּי הַשֹּׁחַד יַעֲוֶה עֵינֵי חֲכָמִים וַיִּסְלַף דְּבָרֵי צְדִיקִם:

You shall not judge unfairly: you shall show no partiality; you shall not take bribes, for bribes blind the eyes of the discerning and upset the plea of the just.

צֶדֶק צֶדֶק תִּרְדּוּף לַמֶּעַן תִּחְיֶה וְיִרְשַׁת אֶת־הָאָרֶץ אֲשֶׁר־יִתֶּנָּה אֱלֹהֶיהָ נָתַן לָהּ: (ס)

Justice, justice shall you pursue, that you may thrive and occupy the land that the LORD your God is giving you.

לְעַלְפֵי | שְׁנַיִם עֲדִים אֹ שְׁלֹשָׁה עֲדִים יוֹמֶת הַמָּת לֹא יוֹמֶת עַל־פִּי עֵד אֶחָד:

A person shall be put to death only on the testimony of two or more witnesses; he must not be put to death on the testimony of a single witness.—

יָד הָעֲדִים תִּהְיֶה־בּוֹ בְּרֹאשׁוֹנָה לְהַמִּיתוֹ וְיָד כָּל־הָעָם בְּאַחֲרֹנָה וּבַעֲרַת הָרֶע מִקֶּרְבּוֹ: (פ)

Let the hands of the witnesses be the first against him to put him to death, and the hands of the rest of the people thereafter. Thus you will sweep out evil from your midst.

כִּי יִפְלֹא מִמֶּךָ דָּבָר לְמִשְׁפָּט בֵּין־דָּם | לָדֵם בֵּין־דָּין לָדִין וַיִּגִּין נִגְעַל לִנְגַע דְּבָרֵי רִיבָת בְּשַׁעֲרֶיהָ וּמִקֶּמֶת וְעַלִּית אֶל־הַמָּקוֹם אֲשֶׁר יִבְחַר יְהוָה אֱלֹהֶיהָ בּוֹ:

If a case is too baffling for you to decide, be it a controversy over homicide, civil law, or assault—matters of dispute in your courts—you shall promptly repair to the place that the LORD your God will have chosen,

וּבֹאֲתָ אֶל־הַכֹּהֲנִים הַלְוִיִּם וְאֶל־הַשֹּׁפֵט אֲשֶׁר יִתֶּנָּה בֵּינֵיהֶם הָהֵם וְדִרְשָׁתָּ וְהִגִּידוּ לָךְ אֵת דְּבַר הַמִּשְׁפָּט:

and appear before the levitical priests, or the magistrate in charge at the time, and present your problem. When they have announced to you the verdict in the case,

וַעֲשִׂיתָ עַל־פִּי הַדָּבָר אֲשֶׁר יִגִּידוּ לָךְ מִן־הַמָּקוֹם הַהוּא אֲשֶׁר יִבְחַר יְהוָה וְשִׁמְרָתָּ לַעֲשׂוֹת כְּכֹל אֲשֶׁר יוֹרֶה:

you shall carry out the verdict that is announced to you from that place that the LORD chose, observing scrupulously all their instructions to you.

על־פי התורה אשר יורוד ועל־המשפט אשר־יאמרו לך תעשה לא תסור מן־הדבר אשר־נגידו לך ימיו ושנאלי:

You shall act in accordance with the instructions given you and the ruling handed down to you; you must not deviate from the verdict that they announce to you either to the right or to the left.

פִּי־תבא אל־הארץ אשר יהנה אליה נתן לך וירשתה וישבתה בה ואמרת אשימה עלי מלך ככל־הגוים אשר סביבתי:

If, after you have entered the land that the LORD your God has assigned to you, and taken possession of it and settled in it, you decide, “I will set a king over me, as do all the nations about me,”

שום תשים עליך מלך אשר יבחר יהנה אליה בך מקרב אחיך תשים עליך מלך לא תוכל לתת עליך איש נכרי אשר לא־אחיד הוא:

you shall be free to set a king over yourself, one chosen by the LORD your God. Be sure to set as king over yourself one of your own people; you must not set a foreigner over you, one who is not your kinsman.

רק לא־ירבה־לוֹ סוסים ולא־ישׁיב את־העם מצרימה למען הרבות סוס ויהנה אמר לכם לא תספון לשוב בגדרו הזה עוד:

Moreover, he shall not keep many horses or send people back to Egypt to add to his horses, since the LORD has warned you, “You must not go back that way again.”

ולא ירבה־לוֹ נשים ולא יסור לבבו וינסף ויזהב לא ירבה־לוֹ מאד:

And he shall not have many wives, lest his heart go astray; nor shall he amass silver and gold to excess.

והנה כשבתו על כסא ממלכתו וכתב לו את־משנה התורה הזאת על־ספר מלפני הכהנים הלויים:

When he is seated on his royal throne, he shall have a copy of this Teaching written for him on a scroll by the levitical priests.

והיתה עמו וקרא בו פל־ימי סגיו למען ילמד ליראה את־יהנה אליהו לשמר את־כל־דברי התורה הנזאת ואת־החקים האלה לעשתם:

Let it remain with him and let him read in it all his life, so that he may learn to revere the LORD his God, to observe faithfully every word of this Teaching as well as these laws.

לבדתי רום־לבב לא אחיז ולבדתי סור מן־המצנה ימיו ושנאול למען יאריד ימים על־ממלכתו הוא ובניו בקרב ישראל:
(ס)

Thus he will not act haughtily toward his fellows or deviate from the Instruction to the right or to the left, to the end that he and his descendants may reign long in the midst of Israel.

כִּי־יִכְרֹית יְהוָה אֱלֹהֶיךָ אֶת־הַגּוֹיִם אֲשֶׁר יְהוָה אֱלֹהֶיךָ נָתַן לְךָ אֶת־אֲרָצָם וַיְרַשְׁתֶּם וַיֵּשְׁבֻתָּ בְּעָרֵיהֶם וּבְכַתְּמֵיהֶם:

When the LORD your God has cut down the nations whose land the LORD your God is assigning to you, and you have dispossessed them and settled in their towns and homes,

שְׁלוֹשׁ עָרִים תִּבְדִּיל לָךְ בְּתוֹךְ אֲרָצְךָ אֲשֶׁר יְהוָה אֱלֹהֶיךָ נָתַן לְךָ לְרִשְׁתָּם:

you shall set aside three cities in the land that the LORD your God is giving you to possess.

תִּכְּוֶן לָךְ הַדֶּרֶךְ וְשַׁלַּשְׁתָּ אֶת־גְּבוּל אֲרָצְךָ אֲשֶׁר יִנְחִילֶךָ יְהוָה אֱלֹהֶיךָ וְהָיָה לְנוֹס שָׁמָּה כָּל־רָצָח:

You shall survey the distances, and divide into three parts the territory of the country that the LORD your God has allotted to you, so that any manslayer may have a place to flee to.—

וְזֶה דְּבַר הָרָצָח אֲשֶׁר־יָנוּס שָׁמָּה וְחָי אִישׁ יָקָה אֶת־רֵעֵהוּ בְּכַל־דָּעַת וְהוּא לֹא־שָׂנֵא לוֹ מִתְּמֹל שְׁלֹשָׁם:

Now this is the case of the manslayer who may flee there and live: one who has killed another unwittingly, without having been his enemy in the past.

וְאִישׁ יָבֵא אֶת־רֵעֵהוּ בִּיעָר׃ לְחֹטֵב עֵצִים וְנִדְּחָה יָדוֹ בַּגִּזְלוֹ לְכַרֹּת הָעֵץ וְנָשַׁל הַבֶּרֶזֶל מִן־הָעֵץ וּמָצָא אֶת־רֵעֵהוּ וְנָתַתָּה הוּא יָנוּס אֶל־אַחַת הָעָרִים־הָאֵלֶּה וְחָי:

For instance, a man goes with his neighbor into a grove to cut wood; as his hand swings the ax to cut down a tree, the ax-head flies off the handle and strikes the other so that he dies. That man shall flee to one of these cities and live.—

פֶּן־יִרְדֹּף גֹּאֵל הַדָּם אַחֲרָי הָרָצָח כִּי־יָחִם לִקְבוֹרָה וְהָשִׁיגוּ כִּי־יִרְבֶּה הַדֶּרֶךְ וְהִכְהוּ גִּפְשׁ וְלֹא אֵין מִשְׁפַּט־מָוֶת כִּי לֹא שָׂנֵא הוּא לוֹ מִתְּמֹל שְׁלֹשָׁם:

Otherwise, when the distance is great, the blood-avenger, pursuing the manslayer in hot anger, may overtake him and kill him; yet he did not incur the death penalty, since he had never been the other's enemy.

עַל־כֵּן אֲנִכִּי מִצְוֶה לֵאמֹר שְׁלֹשׁ עָרִים תִּבְדִּיל לָךְ: (ס)

That is why I command you: set aside three cities.

וְאִם־יִרְחִיב יְהוָה אֱלֹהֶיךָ אֶת־גְּבוּלְךָ כַּאֲשֶׁר נִשְׁבַּע לְאַבְרָהָם וְנָתַן לָךְ אֶת־כָּל־הָאָרֶץ אֲשֶׁר דִּבֶּר לָתֵת לְאַבְרָהָם:

And when the LORD your God enlarges your territory, as He swore to your fathers, and gives you all the land that He promised to give your fathers—

כִּי־תִשְׁמֹר אֶת־כָּל־הַמִּצְוָה הַזֹּאת לַעֲשׂוֹתָהּ אֲשֶׁר אֲנִכִּי מִצְוֶה הַיּוֹם לֵאמֹר אֶת־יְהוָה אֱלֹהֶיךָ וּלְלַכֵּת בְּדַרְכָּיו כָּל־הַיָּמִים וְיִסְפָּךְ לָךְ עוֹד שְׁלֹשׁ עָרִים עַל הַשְּׁלֹשׁ הָאֵלֶּה:

if you faithfully observe all this Instruction that I enjoin upon you this day, to love the LORD your God and to walk in His ways at all times—then you shall add three more towns to those three.

ולא יִשְׁפּוֹךְ דָּם נָקִי בְּקֶרֶב אֶרֶץ אֲשֶׁר יְהוָה אֱלֹהֶיךָ נָתַן לְךָ נַחֲלָה וְהָיָה עָלֶיךָ דָּמִים: (ס)

Thus blood of the innocent will not be shed, bringing bloodguilt upon you in the land that the LORD your God is allotting to you.

וְכִי־יִהְיֶה אִישׁ שׂוֹנֵא לְרֵעֵהוּ וְאָרַב לוֹ וְנָקַם עָלָיו וְהִכְהוּ גִפְשׁ וּמָת וְנָס אֶל־אַחַת הָעָרִים הָאֵלֶּה:

If, however, a person who is the enemy of another lies in wait for him and sets upon him and strikes him a fatal blow and then flees to one of these towns,

וַיִּשְׁלַחוּ זִקְנֵי עִירוֹ וַלְקָחוּ אֹתוֹ מִשָּׁם וַנְּחַנּוּ אֹתוֹ בְּיַד גָּאֹל הַדָּם וּמָת:

the elders of his town shall have him brought back from there and shall hand him over to the blood-avenger to be put to death;

לֹא־תַחֲסֹס עֵינֶיךָ עָלָיו וּבְעֶרְתָּ דַם־הַנָּקִי מִיִּשְׂרָאֵל וְטוֹב לָּךְ: (ס)

you must show him no pity. Thus you will purge Israel of the blood of the innocent, and it will go well with you.

לֹא תַסִּיג גְּבוּל רֵעֶךָ אֲשֶׁר גָּבְלוּ רִאשֹׁנִים בְּנִחְלָתָהּ אֲשֶׁר תִּנְחַל בְּאֶרֶץ אֲשֶׁר יְהוָה אֱלֹהֶיךָ נָתַן לְךָ לְרִשְׁתָּהּ: (ס)

You shall not move your countryman's landmarks, set up by previous generations, in the property that will be allotted to you in the land that the LORD your God is giving you to possess.

לֹא־יָקוּם עַד אֶחָד בְּאִישׁ לְכָל־עוֹן וּלְכָל־חַטָּאת בְּכָל־חַטָּא אֲשֶׁר יַחֲטִא עַל־פִּי אִשְׁנֵי עֲדִים אוֹ עַל־פִּי שְׁלֹשָׁה־עֲדִים יָקוּם דִּבָּר:

A single witness may not validate against a person any guilt or blame for any offense that may be committed; a case can be valid only on the testimony of two witnesses or more.

כִּי־יָקוּם עַד־חָמֵס בְּאִישׁ לַעֲנוֹת בּוֹ סָרָה:

If a man appears against another to testify maliciously and gives false testimony against him,

וַעֲמְדוּ שְׁנֵי־הָאֲנָשִׁים אֲשֶׁר־לָהֶם הָרִיב לִפְנֵי יְהוָה לִפְנֵי הַכֹּהֲנִים וְהַשֹּׁפְטִים אֲשֶׁר יִהְיוּ בֵּינֵיהֶם הָהֵם:

the two parties to the dispute shall appear before the LORD, before the priests or magistrates in authority at the time,

וְדָרְשׁוּ הַשֹּׁפְטִים הַיָּטֵב וְהָיָה עַד־שֹׁקֵר הָעֵד שֹׁקֵר עָנָה בְּאֶחָיו:

and the magistrates shall make a thorough investigation. If the man who testified is a false witness, if he has testified falsely against his fellow,

וַעֲשִׂיתֶם לוֹ כַּאֲשֶׁר זָמַם לַעֲשׂוֹת לְאֶחָיו וּבַעֲרַת הָרַע מִקִּרְבּוֹ:

you shall do to him as he schemed to do to his fellow. Thus you will sweep out evil from your midst;

וְהַנִּשְׁאָרִים יִשְׁמְעוּ וַיִּירָאוּ וְלֹא-יִסְפוּ לַעֲשׂוֹת עוֹד כַּדָּבָר הָרַע הַזֶּה בְּקִרְבּוֹ:

others will hear and be afraid, and such evil things will not again be done in your midst.

וְלֹא תַחֲוֹס עֵינְךָ גִּפְשׁ בְּגִפְשׁ עֵינָיו בְּעֵינָיו שֵׁן בְּשֵׁן יָד בְּיָד רֶגֶל בְּרֶגֶל: (ס)

Nor must you show pity: life for life, eye for eye, tooth for tooth, hand for hand, foot for foot.

כ"0

כִּי-תֵצֵא לַמִּלְחָמָה עַל-אֹיְבֶיךָ וַיֵּרְאֶיךָ סוּס וָרֶכֶב עִם רַב מִמֶּךָ לֹא תִירָא מֵהֶם כִּי-יְהוָה אֱלֹהֶיךָ עִמָּךְ הַמַּעֲלֶךְ מִצְרַיִם מִצְרִים:

When you take the field against your enemies, and see horses and chariots—forces larger than yours—have no fear of them, for the LORD your God, who brought you from the land of Egypt, is with you.

וְהָיָה כָּמָרְכֶם אֶל-הַמִּלְחָמָה וְנִגַּשׁ הַכֹּהֵן וְדִבֶּר אֶל-הָעָם:

Before you join battle, the priest shall come forward and address the troops.

וְאָמַר אֲלֵהֶם שָׁמַע יִשְׂרָאֵל אִתְּם קוֹרְבִים הַיּוֹם לַמִּלְחָמָה עַל-אֹיְבֵיכֶם אֶל-יְהוָה לִבְכֹּכְכֶם אֶל-תִּירָאוֹ וְאֶל-תַּחֲפָזוֹ וְאֶל-תַּעֲרָצוֹ מִפְּנֵיהֶם:

He shall say to them, “Hear, O Israel! You are about to join battle with your enemy. Let not your courage falter. Do not be in fear, or in panic, or in dread of them.

כִּי יְהוָה אֱלֹהֵיכֶם הַהֹלֵךְ עִמָּכֶם לְהִלָּחֶם לָכֶם עִם-אֹיְבֵיכֶם לְהוֹשִׁיעַ אֶתְכֶם:

For it is the LORD your God who marches with you to do battle for you against your enemy, to bring you victory.”

וְדִבְרוּ הַשְּׁטָרִים אֶל-הָעָם לֵאמֹר מִי-הָאִישׁ אֲשֶׁר בָּנָה בֵּית-חֲדָשׁ וְלֹא חֲנָכוֹ גִּלְדָּה וַיָּשָׁב לְבֵיתוֹ פְּרוּ-יָמוֹת בַּמִּלְחָמָה וְאִישׁ אֲחֵר יִחַנְּכֵהוּ:

Then the officials shall address the troops, as follows: “Is there anyone who has built a new house but has not dedicated it? Let him go back to his home, lest he die in battle and another dedicate it.

ומי־הָאִישׁ אֲשֶׁר־נָטַע כָּרֶם וְלֹא חָלְלוֹ יֵלֶךְ וַיָּשָׁב לְבֵיתוֹ פֶּן־יָמוּת בַּמִּלְחָמָה וְאִישׁ אֲחֵר יִסְלְלֶנּוּ:

Is there anyone who has planted a vineyard but has never harvested it? Let him go back to his home, lest he die in battle and another harvest it.

ומי־הָאִישׁ אֲשֶׁר־אַרְשׁ אִשָּׁה וְלֹא לָקַחָהּ יֵלֶךְ וַיָּשָׁב לְבֵיתוֹ פֶּן־יָמוּת בַּמִּלְחָמָה וְאִישׁ אֲחֵר יִקְחֶנָּה:

Is there anyone who has paid the bride-price for a wife, but who has not yet married her? Let him go back to his home, lest he die in battle and another marry her.”

וַיִּסְפּוּ הַשּׁוֹטְרִים לְדַבֵּר אֶל־הָעָם וְאָמְרוּ מִי־הָאִישׁ הַזֶּה וְרָא וְרָא הַלֵּכָב יֵלֶךְ וַיָּשָׁב לְבֵיתוֹ וְלֹא יָמַס אֶת־לֵבָב אֲחֵיו כְּלָבָּו:

The officials shall go on addressing the troops and say, “Is there anyone afraid and disheartened? Let him go back to his home, lest the courage of his comrades flag like his.”

וְהָיָה כִּכְלֹת הַשּׁוֹטְרִים לְדַבֵּר אֶל־הָעָם וּפָקְדוֹ שְׂרֵי צְבָאוֹת בְּרֹאשׁ הָעָם: (ס)

When the officials have finished addressing the troops, army commanders shall assume command of the troops.

כִּי־תִקְרַב אֶל־עִיר לְהִלָּחֵם עָלֶיהָ וְקִרְאתָ אֶל־הָעִיר לְשָׁלוֹם:

When you approach a town to attack it, you shall offer it terms of peace.

וְהָיָה אִם־שָׁלוֹם תַּעֲנֶנּוּ וּפָתַחָהּ לָךְ וְהָיָה כָּל־הָעָם הַנִּמְצָא־בָּהּ יִהְיוּ לְךָ לַמָּס וּבַעֲבֹדָי:

If it responds peaceably and lets you in, all the people present there shall serve you at forced labor.

וְאִם־לֹא תִשָּׁלִים עִמָּךְ וַעֲשִׂיתָה עִמָּךְ מִלְחָמָה וְצִרְתָּ עָלֶיהָ:

If it does not surrender to you, but would join battle with you, you shall lay siege to it;

כִּי־תִצּוֹר אֶל־עִיר יָמִים רַבִּים לְהִלָּחֵם עָלֶיהָ לְתַפְשָׁהּ לֹא־תִשְׁחִית אֶת־עֲצֶיהָ לְנֹדֶם עָלֶיהָ גֵּרֹן כִּי מִמֶּנּוּ תֹאכַל וְאִתּוֹ לֹא תִכְרֹת כִּי הָאָדָם עֵץ הַשָּׂדֶה לִבָּא מִפְּגִיף בַּמִּצּוֹר:

When in your war against a city you have to besiege it a long time in order to capture it, you must not destroy its trees, wielding the ax against them. You may eat of them, but you must not cut them down. Are trees of the field human to withdraw before you into the besieged city?

רָק עֵץ אֲשֶׁר-תִּדְעַה כִּי-לֹא-עֵץ מֵאֲכָלִי הוּא אֹתוֹ תִּשְׁחִית וְכָרְתָּ וּבְנִיתָ מְצֹר עַל-הָעִיר אֲשֶׁר-הוּא עֹשֶׂה עִמָּךְ מִלְחָמָה עַד רִדְתָּהּ:
(פ)

Only trees that you know do not yield food may be destroyed; you may cut them down for constructing siegeworks against the city that is waging war on you, until it has been reduced.