

The Gemara She'vu'ot [31A] states, that if two litigants appear before a Beit Din one of them dressed in wealthy dignified clothing while the other appears like a pauper, dressed in ragged, torn clothing, then the Beit Din cannot judge them fairly and impartially. To allow the Beit Din to proceed with the case, the one dressed in expensive clothing must provide the other litigant with the same dignified clothes so that they appear before the court as equals. The Gemara basis this ruling on the pasuk in our parsha, Mishpatim, "*Midvar Sheker Tir'chak*", "Distance yourself from a false word" [23:7]

This ruling seems a bit strange. For if Beit Din knows the two litigants then regardless of what type of clothing the poor man wears, he will still be known as "the pauper", so what have we accomplished? The Torah Temimah therefore suggests that the scenario of the Gemara must be where both litigants are strangers and unknown to Beit Din. When the two litigants now present themselves to Beit Din, both well dressed, they appear as equals. One can well understand why this is necessary for the making of a fair and objective trial. Otherwise, the righteousness of the trial might be compromised.

A more profound question is, why would this scenario of Gemara She'vu'ot come under the commandment of *Midvar sheker tir'chak*, would it not be more appropriate to place it under the Mitzvah of "*Tzedek, tzedek tir'dof*", Righteousness, righteousness shall you pursue" [Devarim 16:20]? Also, why should it become the responsibility of the wealthy man who is accustomed to wearing nice clothes, that **he** should either wear old torn clothes, or provide his opponent with better clothes?

We must therefore say that our case is talking about two individuals who are both paupers on the same level. One of them happens to be under severe pressure, and feels his case is weak or even hopeless. His only recourse is to borrow clothing [possibly from a Gemach Fund] so that he will appear to Beit Din as a wealthy man and stand a better chance of winning. **Giving the Beit Din such a false impression of his status and of himself, which is an outright lie- is deemed in the eyes of the Torah as a- *sheker*.** To rectify this, he must give his opponent the same opportunity to obtain the better garments, or else he remains in violation of *midvar sheker tir'chak*. *Imagine that, violating "midvar sheker" without saying a word!*

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