

בס"ד. טבלת-סיכום לקו"ש חלק כ"ד, תצא ד' – כי יהי ריב וגו'

– לזכות יוסף שלמה בן רישה לרפ"ש וקרובה –

	Passuk / Rashi	Questions	Explanation
1	והצדיקו את הצדיק והרשיעו את הרשע:	These words are superfluous (obvious), and Rashi doesn't explain them.	<p>Suggestion 1: והרשיעו את הרשע is an intro to the next Passuk. Refutation: a) its not needed. b) It doesn't answer והצדיקו את הצדיק</p> <p>Suggestion 2: It is telling us the positive Mitzva of Judging correctly. Refutation: from the long-windedness of the Passuk its obvious that this is a new matter.</p> <p>Suggestion 3: It means (as in Sifri) that we should begin by finding merit, and only afterwards to find guilt. Refutation: a) Rashi would have to say that, since the "Ben Chamesh" would not figure it out alone. b) This changes the context of the Passuk, which implies that we're talking about 2 different people, that Tzaddik and the Rasha.</p> <p>Suggestion 4: It means (as in Gemara) that when 2 witnesses said he was guilty, then other witnesses disqualified the first witnesses (עדים זוממין) and said that he is innocent, the first witnesses get Malkos. Refutation: Rashi would have to say that clearly, since the "Ben Chamesh" would not figure it out alone. See below (8) for final answer.</p>
2	רש"י: כִּי־יִהְיֶה רִיב:	What is bothering Rashi	Why does it say "Riv" not "Davar"?
3	סופם להיות נגשים אל המשפט.	What is so terrible about going to court?	See next line.
4	אמור מעתה אין שלום יוצא מתוך מריבה,	Why can't going to court bring peace?	It's talking about a quarrel that is not just a disagreement where both sides are looking for the truth, it's a fight, and that cannot lead to peace, even by going to Beis Din.
5	מי גרם ללוט לפרש מן הצדיק?	Why does Rashi change from the Sifri מי גרם לזה ללקות . . מריבה?	Because Rashi is not focused on the punishment (Malkos), Rashi is focused on the quarrel.
6	הוי אומר זו מריבה:	What is the proof from Lot?	Avraham and Lot, though they were "brothers," since there was a fight – "Riv" – between their shepherds, there couldn't be peace, and Lot had to separate from the Avraham.
7	ושפטום	What can we learn from this word?	Even though this is a fight that will not lead to peace, the Beis Din is obligated to judge it properly.
8	והצדיקו את הצדיק והרשיעו את הרשע:	Back to the original question (1): What are these words telling us?	According to the above explanation of Riv, it is understood what these words mean: All the Beis din can do is identify who is right and who is guilty , but they can't bring peace.
9	והצדיקו את הצדיק	Another thing we can learn from these words.	Just because they're both wrong about the fight, It is still possible that one is righteous "Tzaddik" about the matter at hand. Moreso, it is even possible that with regards to the fight, one is fully righteous, and just the Rasha caused the fight.