ASTORIA CENTER OF ISRAEL
Judaism With Open Arms

Parashat Emor: Procedures and People

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Vayikra 24:22	
מִשְׁפַּט אֶחָד֩ יִהְיֶ֨ה לָכֶ֜ם כַּגֵּ֣ר כָּאֶזְרָ֗ח יִהְיֶה֙ כִּ֣י אֲנִ֔י יְהוָ֖ה אֱלֹהֵיכֶֽם׃	You shall have one standard for stranger and citizen alike: for I the ETERNAL am your God.

1. **Procedures**

Mishnah Sanhedrin 4:1	
אֶחָד דִּינֵי מָמוֹנוֹת וְאֶחָד דִּינֵי נְפָשׁוֹת, בִּדְרִישָׁה וּבַחֲקִירָה, שֶׁנֶּאֱמַר מִשְׁפַּט אֶחָד יִהְיֶה לָכֶם…	Both non-capital and capital cases require examination and inquiry [of the witnesses], as it says, “You shall have one manner of law” (Leviticus 24:22)...

Bavli Sanhedrin 3a	
שֶׁנֶּאֱמַר: ״מִשְׁפַּט אֶחָד יִהְיֶה לָכֶם״. וּמָה טַעַם אָמְרוּ דִּינֵי מָמוֹנוֹת לָא בָּעֵינַן דְּרִישָׁה וַחֲקִירָה? כְּדֵי שֶׁלֹּא תִּנָּעוֹל דֶּלֶת בִּפְנֵי לוֹוִין.	The source for this is **as it is stated: “You shall have one manner of law”** (Leviticus 24:22), from which it is derived that all judges must judge in the same manner. **And what is the reason** that the Sages **said** that in cases of **monetary law we do not require inquiry and interrogation** of witnesses? The Gemara answers: The Sages established this exemption **so as not to lock the door in the face of** potential **borrowers.**

Bavli Yevamot 122b	
וְקָמִיפַּלְגִי בִּדְרַבִּי חֲנִינָא. דְּאָמַר רַבִּי חֲנִינָא: דְּבַר תּוֹרָה, אֶחָד דִּינֵי מָמוֹנוֹת וְאֶחָד דִּינֵי נְפָשׁוֹת בִּדְרִישָׁה וַחֲקִירָה. שֶׁנֶּאֱמַר: ״מִשְׁפַּט אֶחָד יִהְיֶה לָכֶם״.	The Gemara comments: **And they disagree about** the statement of **Rabbi Ḥanina, as Rabbi Ḥanina said: By Torah law, both** cases of **monetary law and** cases of **capital law** require scrutiny **by means of inquiry and interrogation** of witnesses, **as** it **is stated: “You shall have one law”** (Leviticus 24:22), indicating that the legal procedures must be the same.

2. **People**

Bavli Ketubot 33a	
מַתְקֵיף לַהּ רַב סַמָּא בְּרֵיהּ דְּרַב יִרְמְיָה: אֶלָּא מֵעַתָּה, בֶּן גְּרוּשָׁה וּבֶן חֲלוּצָה, דְּלָא מִ״כַּאֲשֶׁר זָמַם״ קָא מִיתְרַבֵּי —	**Rav Samma, son of Rav Yirmeya,** strongly **objects to this: However, if** what you say is **so,** when witnesses falsely accuse a priest of being **the son of a divorcée or the son of a *ḥalutza*, as they are not included in** the verse **“As he conspired”** but rather they are

[1] All translations are from Sefaria, unless otherwise noted.

לִיבָעֵי הַתְרָאָה! אָמַר קְרָא: ״מִשְׁפַּט אֶחָד יִהְיֶה לָכֶם״, מִשְׁפָּט הַשָּׁוֶה לְכוּלְכֶם.	punished for violating the prohibition "You shall not bear false witness against your neighbor," **let them require forewarning.** The Gemara answers that **the verse states: "You shall have one manner of law"** (Leviticus 24:22), meaning that there must be **a law equal for all of you.**

Rashi on Vayikra 24:22	
אני ה' אלהיכם. אֱלֹהֵי כֻלְּכֶם, כְּשֵׁם שֶׁאֲנִי מְיַחֵד שְׁמִי עֲלֵיכֶם, כָּךְ אֲנִי מְיַחֵדוֹ עַל הַגֵּרִים:	**אני ה אלהיכם'**— your God — the God of all of you. Just as I attach My Name to you, so do I attach it to the strangers.

Ibn Ezra on Vayikra 24:22	
וטעם **אלהיכם.** אלהי האזרח ואלהי הגר:	The meaning of **אלהיכם**. The God of the native and the God of the stranger.

Sforno on Vayikra 24:22	
כגר כאזרח יהיה כי אני ה' אלהיכם. אלהי הגר ואלהי האזרח ולא נכר שוע לפני דל:	**כגר כאזרח יהיה**, for I the Lord your God am just as much the God of the convert.

3. **Procedural Justice**

Yale Law School, "Four Pillars of Procedural Justice"

Big Question: Compare these commentaries with the image of the four pillars of procedural justice. Where do these concepts overlap? Where do they differ?