

מצוות
לא תעשה
#317

 We learn this mitzvah from Parshas Kedoshim: (ויקרא יט:יד)

לא תקלל חֵרֶשׁ

We aren't allowed to curse another Yid — or even to curse ourselves!

The *posuk* we learn this *mitzvah* from says “You should not curse a person who is deaf.” The Rambam explains why:

When someone gets angry, he wants to take revenge — to hurt the other person the way he feels that he was hurt, to make things “fair.” Depending on how angry he is, he might think it is fair to destroy the other person's things, or even to hurt him very badly! Then he will calm down and not be angry anymore.

If the other person did something small, he might only be a little angry. He will feel better after he screams at the other person, or even only curses him quietly, so the other person can't hear.

We might think that there is nothing wrong with this! Why should it matter if we curse someone when he can't hear, and it won't hurt his feelings?

That's why the Torah says “don't curse a person who is deaf.” We might think, why should it matter if we curse someone who is deaf and can't hear?

The Torah teaches us that the reason why not to curse another person is not only that the other person will hear and feel bad, but because WE shouldn't be cursing other people! We are not allowed to let ourselves get angry and take revenge on another person.



The details of this mitzvah are explained in Mishnayos & Gemara:
Mesechta Shevuos perek Daled

מצות
עשה
#178

 We learn this mitzvah from Parshas Vayikra: (ויקרא ה:א)

וְהוּא עֵד אִם רָאָה אִם יָדַע

If a person knows about something that *Beis Din* is judging, he needs to come be a witness, an *Eid*.

 The details of this mitzvah are explained in Mishnayos & Gemara: **Mesechta Sanhedrin and Mesechta Shevuos**

Rambam: Hilchos Sandhedrin, Hilchos Eidus

PEREK CHOF-HEY

We learn *halachos* about how a judge needs to treat his community. (This is probably important for ANY person who works with the community!) The Rambam reminds a judge not to act in a mean way to the people, because even if they are simple and not so *ruchnius'dik*, they are the children of Avraham, Yitzchak, and Yaakov!

Judges need to be careful not to do things that would make people lose *kavod* for them, like getting drunk at parties.

People need to have *kavod* for the *Beis Din*, and come if a *Beis Din* tells them to. The *Beis Din* is careful when they call someone, to make sure it is possible for him to come. For example, they don't call people to come to a case on a Friday, because everyone is busy getting ready for Shabbos.

PEREK CHOF-VOV

Now the Rambam teaches *halachos* about the punishment for cursing. Even though there is already a *mitzvah* not to curse ANYONE, there is a special *mitzvah* not to curse a judge. Someone who does, gets *malkos* twice.

The last *halacha* reminds us how it is *asur* to go to a non-Jewish court (*Arka'us*). Yidden take care of their own disagreements in a *Beis Din*. Only if someone refuses to come to *Beis Din* are we allowed to take him to court.

PEREK ALEF

Now we start a new set of *halachos* about witnesses.

If someone is able to be a witness, he has a *mitzvah* to be a witness in *Beis Din*.

We learn the way the judges ask the witnesses questions, in order that we can make sure they are really telling the truth, and that all of the witnesses agree. They first ask seven basic questions, about when and where the thing happened. Then they ask more details, like "Which *melacha* did he do?"

But the judges should also ask questions that don't have to do with the specific thing, just to make sure that the person is telling the truth. For example, they will ask what color clothes the person was wearing.