

מצות
עשה
#179

 We learn this mitzvah from Parshas Re'eh: (דברים יג:טו)

וְדַרְשֶׁת וְחִקְרַת וְשָׁאַלְתָּ הֵיטֵב וְהִנֵּה אִמֶּת נִכוֹן הַדָּבָר

Today's *mitzvah* is for a *Beis Din*. When witnesses come and tell the judges about something they saw or heard, they are not allowed to believe them right away and make a decision. They need to ask many questions to make sure they understand what the witnesses are saying before they *pasken* the *din*. If they would just *pasken* right away, they might end up punishing someone who wasn't guilty!



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

Rambam: Hilchos Eidus

PEREK BEIS

In today's Rambam, we learn about the questions we ask witnesses.

We learn what happens if the *eidim* contradict each other in any of the questions. If one person says "he was wearing black clothes!" and the other person says "he was wearing white clothes!", we don't listen to what those witnesses say.

PEREK GIMMEL

The Rambam tells us that the *Chachomim* were not as strict with court cases about money. That's because if we ask too many questions, there is a very good chance that the witnesses will get confused, and very few cases will be won by people who lend money! If people see how hard it is to get their money back in *Beis Din*, they will stop lending money. That's why the *Beis Din* was not as strict, so more people will help each other by lending money.

PEREK DALED

This *perek* teaches us more *halachos* about not being strict with the witnesses in a money case. For example, if the witnesses saw what happened from different places (like different sides of the street) and didn't see each other, we still count them as good witnesses. Why? So the special *mitzvah* of *Gemilus Chasadim* (which includes lending money to others) will be easier to keep, and Yidden will have the money they need.