

Edim Zomemim (Conspiring witnesses)

Ref: *Sefer Shoftim, Hilchot Edut, Chapter 20*

Further definition of *edim zomemim* and how they function.

Lying witnesses are not punished in the following:

- One was disqualified as a witness
- Only one lied (punishment for *hazamah* is for a pair)
- *Hazamah* disqualified before judgement rendered



There are instances brought down *Mipi Hakabalah*, where punishment of *edim zomemim* is not the same as they conspired.

	Punishment	Explanation
One of the lying witnesses was not fit to be a witness	× (both)	
Disqualified through <i>hazamah</i> after judgement was exercised	×	 This applies in capital cases <i>Mipi Hakabalah</i> because a person would not have been executed if Hashem did not want it
<i>Hazamah</i> in financial matters after the judgement was exercised	✓	
Only one witness disqualified through <i>hazamah</i>	× both	
Many <i>hazamah</i> witnesses testify one after the other with no gap (time lapse) between each one and one witness is not a <i>zomem</i>	×	If even one witness from the group is not declared an <i>ed zomem</i> , the entire group is spared
If there is a gap between a group of <i>edim zomemim</i> and one witness not a <i>zomem</i>	✓	
No warning given to <i>edim zomemim</i>	✓	Speech is not considered as an act and therefore their testimony cannot be considered inadvertent
False witnesses testify against someone who is <i>treif</i> (about to die anyway)	×	
False testimony that a Priest was a <i>chalal</i>	✓	 But different punishment – <i>Mipi Kabalah</i> i.e. they do not become <i>chalal</i>
False testimony regarding inadvertent killing	✓	 But different punishment – <i>Mipi Kabalah</i> i.e. they are not exiled
False testimony that ox killed someone	✓	 But different punishment – <i>Mipi Kabalah</i> i.e. do not pay atonement fine

False testimony that person sold as <i>eved ivri</i>	✓	 But different punishment – <i>Mipi Kabalah</i>
Where punishment is different, e.g. for a man and woman who commit adultery	✓	 Punishment same as that given to the man – <i>Mipi Kabalah</i> i.e. strangulation and not burning