

## False Oaths

### Ref: *Sefer Mishpatim, Hilchot Toen Venitan, Chapter 2*

If a person is suspected of taking a false oath, we do not allow him to take an oath.

Where a suspected claimant must take oath before collecting, the defendant can take the oath (*shvuat hesset*) and would then be free of any obligation. When a suspected defendant must take a Scriptural oath, the claimant takes a Rabbinical oath and collects.

Sometimes depending on circumstances, the defendant would not need to take an oath. He would simply go free.

The following are suspect and are not allowed to take an oath.

- Person who already took a false oath (i.e. Witnesses testify that he has violated.) If the person himself admits that he is suspect we treat this with suspicion. If he is obligated to take an oath, he is allowed, because testimony against oneself is not accepted.

#### Reminder

False Testimony. Ref: *Sefer Shoftim, Hilchot Eduk, Chapter 17*



- Person who is unacceptable as a witness because of transgressions performed wilfully.

#### Reminder

Witnesses who are Ineligible. Ref: *Sefer Shoftim, Hilchot Eduk, Chapter 9*



If person who is suspect repents, his good status is restored to enable him to be a witness and take oath.

If someone takes a false oath regarding a colleague's money, and then repents, he must pay him an additional  $\frac{1}{5}$ .

#### Reminder

Pack on Oaths

