

By the testimony or two of three witnesses shall the condemned person be put to death. (17:6)

The word *shnayim* connotes two. Yet, later in this *parsha* (19:15), the Torah uses the word *shnei* (*eidim*) to specify two witnesses. Why does the text change from one *pasuk* to the other? *Horav David Cohen, Shlita*, quotes the *Gaon, zl, m'Vilna*, who distinguishes between *shnayim* and *shnei* (although both words mean “two”). *Shnayim* refers to two people (or objects) which come together or meld together as one unit, while *shnei* refers to two individuals, separate and/or disparate, who just happen to be together. In other words, *shnayim* is a “two” which maintains a stronger sense of unity.

With the *Gaon's chiddush*, novel interpretation, in mind, the *Rosh Yeshivah* cites *Rashi (Kesubos 20a, v'nafka minah)* who writes that with regard to money matters, when two witnesses testify, each one achieves half of the judgment. This means that if the defendant is found guilty (based upon the testimony of two witnesses) of owing one hundred dollars, each witness is obliged him to pay fifty dollars. *Horav Chaim Soloveitchik, zl*, contends that this is true only with regard to monetary matters. Concerning matters of life and death (capital punishment), however, both witnesses together act as one unit to bring about a guilty verdict. One without the other is of no value.

We now understand the difference between the two terms used to express different meanings in our *parsha*. The beginning of the *parsha* addresses the requirement of the testimony of valid witnesses in a case of capital punishment. The Torah uses the word *shnayim*, because – with regard to capital punishment – both witnesses are effective only as a unit of two. Each one individually is of no consequence. On the other hand, when the Torah addresses the laws of monetary claims, it uses the word *shnei*, since each individual witness accomplishes fifty percent of judgment.