

Jewish Ethical Questions: Lying

Based on a Naaleh.com Q&A Series by Dayan Shlomo Cohen

What is the approach of Jewish law towards telling the truth? When is a person permitted to lie? We're all brought up to understand and believe that one must always tell the truth. The Torah tells us this very clearly in Shemot, "Midvar sheker tirschak." (Keep far away from lies.) This teaches us that lying is such a serious transgression that not only is it prohibited but one must keep away from anything that will lead to it. If one looks at the letters of the words *emet* (truth): *aleph, mem, taf*, one can see that they each have a solid base. But if one looks at the letters of the word *sheker* (falsehood): *shin, kuf, reish*, one can see that they stand on only one foot. If one knocks them just a little they will fall over. This signifies that truth will always triumph while falsehood will never last.

The Midrash tells us that when Noach built the ark, all the animals entered in pairs. The angel of *sheker* came but Noach refused him entrance claiming that he needed a pair. So the angel of *pachdan* (bad luck) made a covenant with *sheker* that they would become a pair. Anything that anyone attains through lies will be destroyed by bad luck.

Yet there are times when it may even be a *mitzvah* to lie. During WWII, there was a righteous non Jewish woman who agreed to hide a group of Jews in her home. One day the Germans came around knocking on doors looking for Jews. The lady faced a dilemma. If they asked her if there were Jews hiding in her home she insisted that she could not lie. So the Jews told her, "We'll go out to the veranda. Then you can honestly say there are no Jews here." This story, however, is definitely a case where according to Jewish law one would actually be obligated to lie if it meant saving lives.

Let's look at the famous story of Avraham *avinu*, the father of the Jewish nation. For many years he and Sarah had no children. Then one day, when she was very old, angels came and told her she would have a child. She wondered aloud, "How will I have a child? My husband Avraham is so old!" Hashem repeated this to Avraham but changed what Sarah had said to, "I am old," so as not to cause tension between Avraham and Sarah. The Gemara in Yevamos teaches us that we learn from this that one may bend the truth for the sake of peace.

The Gemara brings additional proof from the story of Yosef. After Yaakov passed away, the brothers were worried that he would take revenge on them. They told Yosef that their father commanded that he not retaliate and that he forgive them for what they had done. Rashi says this wasn't true. Their father never told them this. But they were permitted to lie so that there would be peace between them.

The Gemara further says, "Rabbi Nosson adds, 'It's a *mitzvah* to lie in certain cases.'" He brings proof from the prophet Shmuel who was commanded by Hashem to anoint David as king. Shmuel was worried that Shaul would kill him if he found out. Therefore Hashem told him to take a sacrifice with him. When Shaul would see Shmuel he could say that he'd come to bring a sacrifice. We see here another case of lying for the sake of peace.

Pirkei Avot tells us, "Be like the students of Aharon Hakohen." Aharon strove to make peace between people. When he saw two people arguing he would pretend that both sides wanted to make up. Here too Aharon bent the truth to restore *shalom*. *Pirkei Avot* says that not only is this ok, but we should all try to imitate Aharon's ways.

The Gemara in Bava Metziah discusses lost property that has no identifying signs. The halacha is that the finder can take it because the loser has already given up hope of getting it back, and since there are no identifying signs it cannot be returned. However, the Gemara says, if a *talmid chacham* claims it even without the identifying signs, he can be believed. How do we know he is a true scholar? One of the tests is if the person never deviates from the truth apart from the following three cases where he is permitted to lie: 1. If out of curiosity someone asks him how much he's learned, he may be modest and lie about it. In fact it's considered praiseworthy not to boast and tell the truth. 2. If he's asked about personal marital matters, he's allowed to lie. 3. If he benefited from someone's hospitality, he may lie to avoid telling others about it. Perhaps the host does not want so many other guests. While the Rambam says that one is permitted to lie in these cases, other Rishonim including the Rif say that it is in fact an obligation.

The Gemara in Kesubot asks the famous question, how should one dance in front of the

bride? Beit Shammai says, "*Kallah ke'mo she'hi*." (Praise the bride as she is). Beit Hillel says, "*Kallah naeh v'chasida*," (The pretty and gracious bride). Beit Shammai disagreed. What if she is deformed? How can you say she's beautiful when the Torah says to keep away from lies? Beit Hillel countered, if someone went to the marketplace and bought something ugly would it help if you told him it looked dreadful? You'd just make the person feel bad. So too one is obligated to praise the woman who the groom married. We see from here that a person must live pleasantly with people and try to get along with others.

In fact the *halacha* is like Beit Hillel. The Perisha explains, it's not really a lie to praise an ugly bride, as it refers to her qualities not her physical features. The Aruch Hashulchan elaborates that it means, there's a "*chut shel chesed mushach aleha*." The Gemara says Esther was green. She was really ugly, but she looked beautiful because she had a *chut shel chesed*. The beauty of her soul shone through. The Ridvaz says there's no problem about praising the bride as one is permitted to lie for peace. The Ritva adds that even if she has an outright flaw you can still say she's beautiful.

The *halacha* states that a Jewish court of law must consist of three *dayanim* (judges). A halachic decision is reached based on a majority opinion. The Shulchan Aruch states that if one of the *dayanim* says he doesn't have an opinion, the court cannot issue a ruling, so they must add another two judges to the court so that now there are five judges. Someone asked the Beit Yaakov, if one of the *dayanim* sees that the other two *dayanim* are incompetent, can he lie and say he doesn't have an opinion so that they'll be compelled to add two new *dayanim*? The Beit Yaakov says no because he will cause people to disrespect the *beit din*. How can a dayan say he doesn't know if that is his job? Other poskim argue and say that he can lie. Some say he can only lie if the other two *dayanim* are ignoramuses. But where the first *dayan* simply doesn't agree with the other two, he cannot lie. Some *poskim* maintain that even if they aren't ignoramuses, but the other dayan feels there's something wrong with their judgment, he may lie and say he doesn't know. So we see that even in cases that are not related to *shalom* one can lie to bring out the truth.

Make it Count: #3

Based on a Naaleh.com shiur by Mrs. Shoshie Nissenbaum

The third day of the *omer* corresponds to *tiferet shebi'chesed*. *Tiferet shebi'chesed* is giving in a beautiful, truthful way. It's giving in a manner that elevates and brings glory to Hashem's name. This is best accomplished by learning Torah, which is the very best way to connect and bring honor to the Creator. *Tiferet shebi'chesed* is doing *chesed shel emet*, acts of true loving kindness, with no expectation of reward or recognition.

In Pirkei avot, Antignos Ish Socho says, "*Al tehiyu k'avadim hameshamshim et harav al manat l'kabel pras eleh hevei k'avadim hameshamim et harav shelo al manat l'kabel*

peras." (Don't be like the servants who serve their master to get reward. Rather be like the servants who serve their master without expectation of reward.) We tend to do this with children. We give them prizes to motivate them to do well on a test or to clean up their room. But in the long term it won't work. Real inspiration and avodat Hashem has to come from a place within. External motivation alone won't help. Only internal motivation will keep a person moving forward on the path of Torah. *Mitzvot* come from the root word *zavta*, to connect. Keeping the Torah is not like keeping a checklist. It's about a bond between the Jewish people and Hashem. If we're always looking to see what we are going to get, or

what's in it for us then it's not the relationship Hashem wants from us. In a true commitment of love, both partners want to be together for the sake of being together, not because they expect to get something. This is *tiferet shebi'chesed*, true kindness with no expectations.

Let us look for opportunities to do *chesed* without recognition or reward. Let us be like Antignos taught us to be, servants who follow their Master without any hopes of getting anything in return. And let us pray that we may serve Hashem with joy and enthusiasm *l'maan sh'mo b'ahava* (to honor His name with love).

Rebbetzin's Perspective IV Class #4

Based on a Naaleh.com shiur by Rebbetzin Tziporah Heller

Question:

After a person dies, what should be fine with the person's perfectly good shoes? Does chalitzah relate to this?

Answer:

Get rid of the shoes. There's no other option. This is because a person's body is kabbalistically called the shoe. The same way the shoe

contains and protects the person's feet as he walks, the body contains the soul and gives it purpose in this world. When a person's soul is released from the confines of his body after death, the shoes, in a mystic sense, signify the loss of the body.

The underlying concept of chalitzah is that a man who died without children must still attain rectification. Therefore his soul must be reincarnated in another body. The foot signifies malchut,

the ability to make Hashem rule. It leads a person where he needs to go in life. The dead man's foot must be put back into a shoe. If his brother refuses to do so, he creates a situation where the foot and the shoe cannot meet. Therefore his shoe is symbolically removed for not allowing his brother's soul to return and achieve tikun.