



# HALACHA ENCOUNTERS

## Lying Part 1

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Chazal tell us that there are four classes of sinners, who may have many good deeds, but they will not merit receiving the Divine Presence. One such class is made up of those who are liars. Many of us mistakenly think that as long as we are honest in our monetary affairs and conduct our business activities in a moral and ethical fashion, we are not part of the “class of liars.” However, the rishonim tell us otherwise. Rabbeinu Yonah (Shaarei Teshuvah Shaar 3, 181) says that one who is dishonest even in matters in which there is no gain, and even if no one gets hurt, he is still classified as a liar. This is so even if he says the basic truth of the story and just a few details are changed or embellished. According to the Chareidim (mitzvah 26), such a lie is a violation of the Mitzvah d’oraysah-“Midvar sheker tirchak”- stay far from words of falsehood (Shemos 23:7). Others (see Yeraim 235) hold that although any kind of lie is detested and abhorred by Hashem, only a lie that is damaging is forbidden by the Torah, while other lies are only prohibited m’drabonon. (See Orach Meishar 9:1 and Shevilei Chaim in his commentary on the Chofetz Chaim in the pesicha that proves that the opinion of many rishonim is the possuk of “Midvar sheker...” is only applicable in court related matters.) Although to speak even a “little white lie” is strictly forbidden, there are situations where it is permitted to lie and even commendable to do so. (Note: Every situation is unique and therefore any halacha l’maashe questions of “sheker” must be brought to a rav. The point of this article is to just bring up the relevant issues).

The Shulchan Aruch (Choshen Mishpat siman 262:21) lists four situations in which it is permitted to lie. The first case mentioned is “darchei shalom”- for the purpose of peaceful relations. The poskim say that not only may one lie in order to diffuse an existing quarrel, but one can lie even to prevent a feud from beginning. However, this can only be done if there is no other alternative to making peace. (Chofetz Chaim Hilchos Richilus 1:8) Even in a case where it’s permitted to lie, one should preferably do so by using words that have a dual meaning. An example of this is when Yaakov Avinu approached his father Yitzchak who was blind with delicacies in order to receive the brachos intended for Eisav. Yitzchak asked “Who are you my son?” Yaakov replied “It is I, Eisav your firstborn”. Although Yitzchak was tricked into thinking Eisav was standing before him, Yaakov used words that could also have a truthful meaning. “It is I [Yaakov who brought you the delicacies], Eisav [however, is] your firstborn. Although it was permitted for Yaakov to lie, he did it in a way that could be interpreted to be truthful. (Note: In a situation where it is forbidden to lie, even such a lie is not permitted as it is deceiving the listener.)

The Magen Avraham (siman 156) quotes the Sefer Chassidim (426) that limits the heter of “darchei shalom” to matters related to the

past. The Sefer Chassidim says that if someone asks you for a loan, and you’re nervous that this individual will not pay you back, you cannot say that you don’t have any money right now when in fact you do. (This is so, even though by telling the truth you will be insulting him.) It is said that when an untrustworthy person would ask the Chofetz Chaim for a loan, the Chofetz Chaim would “give” all his money to a close talmid and respond that he had no money available to lend. However, many Achronim argue with this psak (see Teshuvos Maharsham volume 7 siman 152). Therefore in a situation where one might become offended or embarrassed, many poskim permit lying even in matters that pertain to the future and to the present for “darchei shalom”. (Pischei Chason Laws of Halvah ch. 1 note 12, Titein Emes L’Yaakov ch. 5 siman 15).

Even in a situation when it is permitted to lie because of “darchei shalom”, some say (Maharshal Yevamos ch. 6 siman 46) that it should not be done too frequently as one may become accustomed to lying. It is not clear from the poskim how often is considered “too frequently”.

One is permitted to lie if it will enable him to be able to perform a mitzvah, even a mitzvah d’rabnon (Orach Meisharim 9:7 based on gemarah in Berachos 43:). (See Orach Meisharim (ibid) who permits this “lie” only if it can be interpreted in a way that would not be a lie as in the case of Yaakov Avinu. However, others say that all lies are permitted in order to enable one to perform a mitzvah- (see Niv Sifasayim klal 3:1.)

If one wishes to be humble and not reveal his pious conduct, it is praiseworthy to lie (unless it’s possible to do so without lying). (Taz 565:6 and Magen Avraham 565:7) For example, if one accepted about himself to fast and is questioned upon it, he may respond, “I am not fasting”. If one is asked if he understands a certain Torah topic or if he learned a mesechta, he may respond in the negative, even though that may not be the case.

If one sees others who are not acting in accordance with halacha and his words of rebuke won’t be listened to, he may quote them a great posek who forbids this act, even though the posek never said so explicitly. (Magen Avraham 156:2).

When one gets married, it is a mitzvah to tell the choson about what a wonderful kallah he has, even if she is really somewhat lacking. Likewise if someone purchases an item (house, car, clothing etc.) and that item can no longer be returned, you should lie and tell the person what a wise purchase it was, even if you don’t really think so. The reason for this is that often a new choson or buyer is a bit apprehensive about his new acquisition, it is therefore a mitzvah to put him at ease. [See Niv Sifasayim klal 3:5 in chidushim who discusses this issue at greater length.]

Next week we will IY”H discuss some common scenarios of possible “sheker” and what the gedolei poskim ruled in those situations.