

## Causing Falsehood

### ∞ 33.19 ∞

Distancing yourself from a false word obliges you to be careful not to cause lies and falsehood in the world, as Shimon ben Shatach said, “Be careful with your words so that they will not learn from them how to lie.”<sup>69</sup>

Therefore, when you see two people whispering with one another and you want to know what they are talking about, do not ask them. They may not want you to know and they will say a lie.<sup>70</sup>

You should also not ask to borrow something if you suspect that your friend will not want to lend it to you and, if asked, might lie and say he doesn’t have it.<sup>71</sup> The same applies to borrowing money.

### ∞ 33.20 ∞

If somebody asks you something about your friend, and you know the answer but your friend told you not to tell anyone,

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69. *Avos* 1:9. The *Gra* explains that this is included in *מדבר שקר תרחק* — “Distance yourself from a false word.”

70. *Sefer Chassidim* ch. 1060. This is not just because of the prohibition against placing a stumbling block in front of them, but is actually part of your obligation to distance yourself from a false word.

71. *Peleh Yoetz*.

you are forbidden to tell. If you have no way to get out of it without giving away the answer, you must say that you don't know, even though it is not the truth.<sup>72</sup>

If you are asked about somebody who died and you do not want to break the news, you may say that you do not know.<sup>73</sup>

### ☞ 33.21 ☞

Distancing yourself from a false word includes not debating an issue with someone who is interested in winning the argument and not in reaching the truth.<sup>74</sup> Arguing with such a person leads to the speaking of many lies, and you must distance yourself from lies and falsehood.

### ☞ 33.22 ☞

Some say that causing false words to be spoken by someone unintentionally can sometimes be a transgression of the mitzvah to distance yourself from a false word, even if you only caused

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72. Rabbi Shlomo. Z. Auerbach z"l, Rav Elyashiv, Shlita. This is because you could mean that you do not know any need to tell him. The Gemara in *Ta'anis* 20 relates the story when R' Elazar B'Rabbi Shimon met someone extremely ugly and asked him if all the people where he comes from are ugly like him. He answered that he does not know. The ugly looking person was Eliyahu HaNavi who wanted to teach him something. The *Maharsha* says that when Eliyahu answered that he does not know it was not a lie because he meant that he does not know to tell him that they are all so ugly. *Ayin Yaakov* says that he meant he does not know a need to tell him such a thing, like it says — you should teach your tongue to say "I don't know."

73. That is what Achimaetz answered King David when he asked him about Avshalom. He did not want to tell him that Avshalom was killed, so he said that he did not know. See *Shmuel* II 18, and *Maseches Kallah Rabassi* ch. 5.

74. *Sefer Chassidim (Makitzei Nirdamim)* ch. 1112.

it by shaking your head in agreement or even by remaining silent<sup>75</sup> and saying nothing at all. The Gemara says:<sup>76</sup>

A student who hears his teacher making a mistake in a Din Torah should correct him right away and not wait until he arrives at a wrong verdict and then correct him in order that the decision be called on his, the student's, name. This is included in distancing yourself from a false word.<sup>77</sup>

Others appear to disagree with this, and one may be lenient.<sup>78</sup>

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75. See Kovetz *Ha'aros* vol. 2 (*michtavim*)

76. *Shavuos* 31a.

77. *Pilpula Charifta* explains that the student, by keeping quiet, is causing his teacher to say something false.

This is difficult to understand, because that would mean that anyone who hears false words would be obliged to try to correct the speaker or stop him from speaking. Were it not for the *Pilpula Charifta*, one could explain that the student's silence might be considered agreement since he normally would interrupt with his comment right away, as was the custom of students in the era of the Gemara. If so, it does not apply to hearing someone lie.

More likely, it applies to someone telling you a lie, whereby your listening to him causes him to speak false words. He would not speak false words if you were not listening. However, this is not the case in the Gemara, and the Chafetz Chaim, *Pesicha, Essin 13* in *Be'er Mayim Chaim*, holds that one who listens to a lie is not in violation of the mitzvah to distance himself from a false word. It is unlikely that the Chafetz Chaim is only referring to a case when you are unable to prevent him from speaking, because in that case he would also not be in violation of the other sins that apply with regard to listening to *lashon ha-ra*. Also, he would have specified that if one is able to prevent someone from telling him a lie, he is in violation of the mitzvah to distance himself from a false word.

78. Rabbeinu Yonah, *Mishlei* 3:3, does not explain the Gemara like the *Pilpula Charifta*. He understands the Gemara as referring only to a case in *beis din*, and identifies the falsehood as the fact that the student is not fulfilling the mitzvah of justifying the righteous one and convicting the

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The mitzvah to distance yourself from a false word includes not writing a lie.<sup>79</sup> This includes not signing on something that is not true.<sup>80</sup> Writing and signing on a lie are only violations of lying if his signature or his writing is now creating either a document or testimony.<sup>81</sup> If he just writes lies on a piece of paper it is not a sin of lying.<sup>82</sup> Even if he speaks lies to himself there is no sin of lying. It is only lying when there is somebody listening or when the lie creates something.

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*rasha*. Evidently, he does not agree with the *Pilpula Charifta*.

However, Rabbeinu Yonah's explanation is equally difficult to understand. How can the student be in violation of the mitzvah to distance one's self from a false word by his silence and not speaking the truth? As explained earlier, the attribute of speaking the truth in your heart is not a commandment but rather a high level of fear of God or even a level of *chassidus*, extreme piety.

79. *Tosafos, Bava Basra* 94b; *Yad Ramah, Bava Basra* 172a.

80. *Tosafos, Bava Basra* 94. This is true even according to those who, with regard to taking an oath, hold that writing is not like speaking (see *Shev Yaakov* ch. 49; *Tumim* 96:8; *Teshuvos R' Akiva Eiger* ch. 29–32) and certainly according to those who hold that it is like speaking with regard to an oath (*Chavos Yair* ch. 194; *Shevuss Yaakov* ch.156).

81. In *Tosafos, Bava Basra* 94b, they are referring to the sin of false testimony when they signed on a pre-dated document. See *Nesivos* (28) etc. as to the time of violation of false testimony when signing on a document or signing on written testimony and sending it into *beis din* in cases when that is allowed or according to *Rabbeinu Tam* in *Tosafos, Bava Basra* 40a who allows it (as long as the witness is able to testify orally if he would choose to do so).

82. See *Teshuvos Pnei Yehoshua* (ch. 84) that lying through speech or body language is considered lying but writing a lie is not considered lying. This is apparently also the opinion of the *Maharsha, Bava Basra* 15b, regarding the last eight verses in the Torah. The words of the *Maharsha* are still difficult because he is referring to the writing of the *sefer Torah*, and that is certainly no less than creating a document or testimony. The issue refers further clarification.

∞ 33.24 ∞

Saying only part of a story and thereby giving a false impression is also prohibited because you must distance yourself from a false word, even though everything you said was true.<sup>83</sup> Sometimes, a half truth is a very big lie.

∞ 33.25 ∞

If you are in doubt about something and you tell it over as a certainty, you are in violation of the mitzvah to distance yourself from a false word.<sup>84</sup>

∞ 33.26 ∞

Saying something ambiguous that gives a false message is also included in distancing yourself from a false word.

### Praising That Which is not Praiseworthy

∞ 33.27 ∞

If it is customary to make a statement of praise, you should also do it in order to be pleasant and participate with others. That is why people are allowed to praise a bride at her wedding by saying that she is a כלה נאה וחסודה — pretty (or nice) and kind, as Beis Hillel ruled,<sup>85</sup> even though the praise may not be true. With regard to praising a bride at her wedding, *Chazal* said that you not only are allowed but you positively should do it.

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83. When Hashem told Avraham that Sarah laughed at the idea of Avraham and her bearing a child, He only said that she laughed because she was so old and withered, and did not tell Avraham that she also laughed it off because he, Avraham, was so old. *Chazal* learned from this that you may change the story for the sake of peace.

84. *Imrei Baruch* on the *Turei Even*, *Megillah* 20a.

85. *Kesubos* 17a.

∞ 33.28 ∞

Many explain that the aforementioned statement of praise that you should say is ambiguous. It could well mean that her deeds are nice<sup>86</sup> (pretty and nice are the same word in Hebrew) or that she is pretty and kind in the eyes of her bridegroom.

Since everyone does it, it is allowed,<sup>87</sup> and *Chazal* said

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86. *Prisha*, *Even HaEzer* 65; *Beis Shmuel*. This is difficult, because the *Ritva* explains that you are allowed to praise the bride like *Beis Hillel* says because you are allowed to lie for peace. The *Shitah Mekubetzes* — *Geonim* say that you are allowed to say it so that the bridegroom won't be sad (that is also like the *Ritva*). *Rabbeinu Yonah* in *Sha'arei Teshuvah* 3:181 says that you are allowed to say it for the good of the bridegroom. For all of these, one is allowed to lie outright if necessary, so why does the *Prisha* have to rely on the fact that it is only an ambiguous statement. It is possible, that the *Prisha* is only saying that if it is possible to accomplish the same thing through an ambiguous statement, it is forbidden to lie outright. The *Aruch LaNehr* holds that you are not allowed to lie outright even for peace, and are only allowed to say an ambiguous statement. It is possible the *Prisha* also holds like him, but unlikely.

87. *Chasam Sofer*, *Kesubos* 17a. When *Yaakov* went to receive the blessings from *Yitzchak*, his father asked him who is he. *Yaakov* answered (*Bereishis* 29:19) אֲנִכִי עֵשָׂו בְּכוֹרֶךָ, which translates as "I am *Esau* your firstborn." *Yaakov* was the pillar of truth, and would not utter an outright lie, but this statement was not true. *Rashi* cites the words of *Chazal* that he meant, "I (am whoever I am) *Esau* is your firstborn." This was only a way of minimizing the lack of truth in his answer. Under normal circumstances, a statement like that is also not permitted because it is an ambiguous statement that is designed to give a false impression. *Sefer Cheshbon HaNefesh* (*Likutim* ch. 12) and *Yafei Toar on Midrash* (*Parashas Vayitzei*) say that *Yaakov* had to pretend he was *Esau* because of the mitzvah of honoring his mother who told him to do so. This is also the opinion of the *Maharsha in Yevamos* 63b and *Rav Chaim Palaji in Sefer Chafetz Chaim* 19:9 citing the *Ramaz in Sefer Ein Yosef*, that one may lie in order to fulfill a mitzvah, including the mitzvah of honoring one's parents. Instead of saying a total lie, he made an ambiguous statement which is not as bad as an outright lie.

All these *Acharonim* are difficult to understand, if it were a sin, he would not be allowed to listen to his mother. If your parent tells you to

that you should see to it that you do it.

If you have no choice, you should even praise the bride with an outright lie. This can happen if you are asked specifically about a particular attribute.

∞ 33.29 ∞

This also applies to praising someone's purchase, even though you really do not think it is nice or worth the price. It might be enough to address its positive aspects and ignore the negative. If that will suffice, you should not praise the negative aspects. If it is possible to return it, and it will be for the buyer's benefit, you should tell him the truth.<sup>88</sup>

### Lying for Peace

∞ 33.30 ∞

It is a mitzvah to deviate from the truth in order to preserve peace and prevent quarrels.<sup>89</sup> Some Poskim maintain that

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sin you are forbidden to obey. (See *Yevamos* 5a and *Bava Metzia* 32a). Rav Yerucham Perlow z"l, *Essin* 22, asks that since the mitzvah of honoring one's parents does not override even a mitzvah d'Rabbanan, how could Yaakov lie because his mother told him to? It would seem from this that an ambiguous statement is permitted even if it is meant to give a false message, which is not like the *Chasam Sofer* who forbids it. One might answer that Yaakov had to listen to his mother because, like the *Chazon Ish* writes in *Emunah U'Bitachon*, she told him from her *Ruach HaKodesh* to pretend he is Esau and receive the blessing from Yitzchak. Were it not for that, Yaakov would not have done it and would not have made an ambiguous statement, because that is included in distancing yourself from a false word.

One can also answer that since the lie was in order to fulfill a mitzvah, it is not forbidden as a lie.

88. See *Chafetz Chaim*, *Hilchos Rechilus* 9:12.

89. In *Yevamos* 65b, Rabbi Ila'ah in the name of R' Elazar B'Rabbi Shimon says it is permitted. He learns this out from Yosef's brothers,

who after the passing of their father Yaakov, made up a story that Yaakov told them to tell Yosef not to take revenge from them for what they had done to him. It wasn't true, and they said it so that there should be peace between them.

Rabbi Nosson said it is a mitzvah, and he learned it out from the Prophet Shmuel. When Hashem sent Shmuel to anoint David as king, Shmuel asked how he could go — if Saul would hear of it he would kill him! Hashem told Shmuel that he should take a calf with him, and he should tell Saul that he came to bring it as a sacrifice to Hashem. Since Shmuel was not going to tell the whole story, and this was a ploy to conceal the whole truth from Saul, were it not that it was done for the sake of peace it would have been in the category of a forbidden lie.

Rabbi Elazar B'Rabbi Shimon said one is permitted to lie for peace, and Rabbi Nosson said it is a mitzvah to lie for peace. The Rif on *Bava Metzia* 23b; holds the Halachah is like Rabbi Nosson, that it is a mitzvah. This also seems to be the opinion of the Rif and Rosh on *Yevamos* 65b; Meiri; Ritva; *Sefer Chareidim*; *Chafetz Chaim*, *Hilchos Rechilus* 1:14.

In *Teshuvos Rama* ch. 11, it is written that lying for peace is permitted. Rabbeinu Yonah, *Shaarei Teshuvah* (3:181) also writes that it is permitted, but in the category of permitted he also includes praising a bride by saying that she is נאה וחסודה, even though that is not just permitted but is a rabbinical edict as explained in the *Rishonim* and the *Shulchan Aruch*.

The Rambam (*Hilchos Gezailah* 14:13) also writes that lying for peace is permitted, but in the context of a whole list of things, of which some of them are only permitted and not a mitzvah. Also, the Rambam is referring to exaggerating in order to increase peace. It might be that this is permitted, but in order to prevent a quarrel it might be a mitzvah *d'Oraisa*. Nonetheless, the Rambam does not write anywhere that it is a mitzvah. If he held it is a mitzvah, he should have said so explicitly. Notwithstanding the ambiguity, the *Drisha* holds that according to the Rambam it is a mitzvah.

The *Chafetz Chaim*, *Hilchos Rechilus* 1:8, writes that one is permitted to lie a total lie for the sake of peace, if he has no choice. In *Be'er Mayim Chaim* he writes that it is a mitzvah. The *Salmas Chaim*, vol. 1 ch. 87, points out this apparent contradiction.

If one is permitted to lie for peace, but it is not a mitzvah, what is the difference between peace and any other mitzvah? We find that one is allowed to lie for other mitzvos — even *mi-d'Rabbanan*, like Rabbah Bar Bar Chana did in *Berachos* 53b, in order to recite grace after meals in the place where he ate, which is only a rabbinical Halachah. According to those who say it is a mitzvah to lie for peace, it could be that for



you are only permitted to lie for peace; however it is not a mitzvah.<sup>90</sup>

☞ 33.31 ☞

Some say that saying a total lie for the sake of peace is permitted but is not a mitzvah, but saying a partial lie for the sake of peace is a mitzvah.<sup>91</sup>

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other mitzvos one is permitted to lie but it is not a mitzvah. This will be discussed further.

90. This was the opinion of Rabbi Elazar B'Rabbi Shimon, and Rabbeinu Yehudah HaChassid in *Sefer Chassidim* ch. 426, also writes that it is permitted. The *Eliyahu Rabbah* ch. 156, suggests that *Sefer Chassidim* might hold that the Halachah is like R' Elazar that it is permitted, but not a mitzvah.

91. This opinion is cited in *Salmas Chaim* 1 ch. 78. Accordingly, it could be that Rabbi Elazar B'Rabbi Shimon and R' Nosson are not in disagreement. R' Elazar learned out from Yosef's brothers that you are permitted even to say a total lie in order to prevent a quarrel. R' Nosson learns from the incident with Shmuel, that to partially deviate from the truth is a mitzvah.

It is not clear what the logic could be, and it is not mentioned in the Poskim. The words of R' Elazar and R' Nosson are hard to understand in any case, because they did not lie to prevent a quarrel but to save their lives. This was explicitly true in the case of Shmuel, and quite obvious in the case of Yosef's brothers. They were trying to protect themselves from Yosef, and not just to prevent a quarrel.

The *Salmas Chaim* (1:87) answers that in the case of Shmuel, R' Nosson learns it is a mitzvah because Hashem could have just promised to protect Shmuel. The fact that Hashem told Shmuel to tell Saul that he came to bring a sacrifice is proof that it is a mitzvah. This still is difficult, because everyone agrees that it is only a mitzvah if there is no choice but to lie, and otherwise it is forbidden. So in any case, one can still wonder why Hashem did not just promise to protect Shmuel instead of telling him to mislead Saul by telling him that he came to bring a sacrifice to Hashem.

Therefore, it seems that Hashem told Shmuel to mislead Saul in order that there should not be a quarrel and hatred between Saul and Shmuel, as the *Orach Maisharim* writes. But the question remains, how does R' Nosson know from the case of Shmuel that it is a mitzvah and not just permitted?

Others say that only saying something that is ambiguous and can be interpreted in more than one way is permitted for the sake of peace, but you are forbidden to actually lie.<sup>92</sup> Most Poskim permit even telling a total lie for the sake of peace.<sup>93</sup>

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You may deviate from the truth for the sake of peace only when it is the only way possible. Even if you have to exert yourself greatly to prevent or end the quarrel, it is better to exert yourself than to resort to lying.<sup>94</sup> However, if time is a factor and it is important to stop a quarrel, you should do it in the fastest way possible.

If one can make peace without lying, some say it is better to do it without lying<sup>95</sup> and others say that he is then actually

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92. *Teshuvos Chasam Sofer*, vol. 6 ch. 59 citing the Ramban; *Aruch Lanehr*, *Yevamos* 65b. This is implied in the wording of *Chazal* that spoke about לשנות — “to change,” for the purpose of peace. “To change” does not mean “to lie,” but to say something that is ambiguous and misleading. *Aruch LaNehr* writes that Yosef’s brothers also did not lie, but they sent a messenger to speak to Yosef, and they gave the messenger an ambiguous statement.

The *Baraisa*, *Maseches Kallah Rabassi* (ch. 10) that instructs one to praise the bride with praises that are ambiguous and can mean more than one thing, also seems to support this view that this is the only way you may deviate from the truth for the sake of peace.

93. So it appears from the *Midrash* in *Malachi* 2:6 that describes how Aharon Hakohen lied outright lies for the sake of making peace. Also see Ritva, *Yevamos* 65b; *Chafetz Chaim*, *Hilchos Rechilus* 1:8; *Rav Pe’alim*, vol. 3 *Choshen Mishpat* ch. 1.

94. See *Pesachim* 113a, that it is better to turn over a carcass rather than change (the truth of) your words.

95. *Yad HaKetanah*; *Lev Chaim* I ch. 5 citing *Teshuvos Yad Eliyahu*. They point out that in *Yevamos* 63b Rav did not forbid his son from deviating from the truth in that case, but only advised him that it is better not to.

forbidden to lie.<sup>96</sup> If one has a choice of actually lying for the sake of peace or of making an ambiguous statement for peace, it is better for him to make the ambiguous statement. It is doubtful if any Poskim would say that in such a case it is an actual sin to lie outright.

☞ 33.33 ☞

You may deviate from the truth not only to prevent a quarrel between yourself and another, but also to prevent a quarrel between two other people.<sup>97</sup>

☞ 33.34 ☞

You may even lie outright in order to stop a quarrel.<sup>98</sup>

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It might be that they hold that lying for the sake of peace is not included in the sin of lying. However, in order not to teach one's tongue to lie, one should not lie if he can achieve peace through some other means.

96. *Sheloh*; *Chafetz Chaim, Hilchos Rechilus* 1:8. This might be true because lying is only pushed aside for peace because of the importance of peace (see *Teshuvos Rama* ch. 11), and if it is not necessary the sin remains.

97. *Chafetz Chaim, Hilchos Rechilus* 1:8. This can be learned out from the incident when Hashem told Avraham that Sarah laughed in disbelief about the promise that they would have a son. She laughed because of her late stage in life and because Avraham was also old. Hashem only told Avraham that she laughed at the idea that she could bear a child at her age but He did not tell him that she also believed Avraham was too old. In this case, we see that you may change the truth in order to prevent a quarrel between two people.

98. *Chazal say (Midrash, Malachi 2:6)* that Aharon HaKohen used to bring peace between quarreling people. He would go to one of them and tell him how sorry the other one is, how bad he feels about what he did, how he wants his forgiveness, how his friend sent him to ask forgiveness for him etc. He used to do this until the person was appeased and the hatred left his heart. Then, Aharon would go and do the same thing with the other party. Eventually, when the parties would run into one another, they would greet each other with warmth and friendship. Aharon fabricated these stories in order to stop quarrels among people.

☞ 33.35 ☞

One is allowed to deviate from the truth in order that the person should not be a little upset with him even though it would not become a real quarrel.<sup>99</sup>

☞ 33.36 ☞

One has to be careful if he wants to deviate from the truth in order to prevent a quarrel, that he does not become accustomed to deviating from the truth with the alibi that he is doing it to keep the peace.<sup>100</sup> There has to be a real likelihood that the truth would cause a quarrel, before one is allowed to deviate from it in order to keep the peace.

☞ 33.37 ☞

Some say that one is permitted to deviate from the truth for the sake of peace only if he is lying about something that already happened. To lie by promising something for the future without intention to keep one's word is forbidden.<sup>101</sup>

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99. See Meiri, *Yevamos* 63a, that Rav told his son Chiya to refrain from deviating from the truth because he was not upset with his wife for preparing the food that he did not want. See *Lev Chaim* vol. 1 ch. 5 that if he were upset with her, Chiya would have been allowed to deviate from the truth in order to prevent that. This also seems to be the case according to *Ya'avetz*, *Sanhedrin* 97a. However, in *Teshuvos Salmas Chaim* vol. 1 ch. 87 it seems that he holds that if the person has no right to be upset, you may not lie in order to prevent him from becoming upset with you (or with anyone else).

100. See *Divrei Saul* (R' Yosef Saul Neitensohn z"l), *Aggados HaShas Yevamos* 65b, that one may only deviate from the truth in order to stop a quarrel that already exists, but not to prevent one in the future. However, if there is a strong likelihood that the truth will set off an argument, even he will admit that you may lie. The cases that the Gemara cites are cases regarding the future.

101. This is the understanding of the *Eliyahu Rabbah* (ch. 156) and the

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*Shulchan Aruch HaRav* in the words of the *Sefer Chassidim* ch. 426, who writes that if someone asks you for a loan, and you do not wish to lend to him because you fear he will not pay you back, you may not say that you don't have the money, even if it is for peace. *Shulchan Aruch HaRav* wonders what the source for this is, especially in light of the fact that peace is so great and that it is a mitzvah to deviate from the truth for peace.

In *Sefer Chassidim* (*Makitzei Nirdamim* ch. 1231) the source is cited as being the Gemara in *Yevamos* 63a where Rav told his son not to change his words so that his mother would prepare the food that Rav wanted. Rav said that this teaches one's tongue to lie. Even though his son was doing it for peace between his mother and father, it was still forbidden because it had to do with what his mother was going to prepare, and one is forbidden to lie with regard to the future even for the sake of peace.

Meiri and *Yam Shel Shlomo*, (*Yevamos* 63a) ask why Rav told Chiya to stop, even though he was doing it for peace. One simple answer is that Rav did not care, so it was ultimately not in service of peace. *Rav Chaim Palaji* (in *Lev Chaim* vol. 1 ch. 5) answers the question like the *Sefer Chassidim*. He adds that Chiya thought he was permitted to lie about the present and future just like about the past, or perhaps he thought that since Rav's order was in the past, Chiya considered his lie as relating to the past, and permitted for peace. Rav told him that his lie was related to the future because it affected what his mother was going to prepare.

This is a bit hard to understand. If the problem is that he will become accustomed to lying, what the difference is between the past, present and the future?

One can ask how can some Poskim permit lying for peace only in the past and not in the present and future when Rabbi Nosson's source for lying for peace is from the Prophet Shmuel, which refers to the future? The *Eliyahu Rabbah* and *Peri Megadim* explain this in accordance with the *Maharsha* (and Meiri; Ritva) that Shmuel really also went to bring the sacrifice, and Hashem only told him to tell Saul that this was his main reason for coming. That was a lie relating to the past.

These *Acharonim* also ask on the *Sefer Chassidim* from the Gemara in *Beitzah* 20a, where Hillel brought his *Olah*-offering to the Beis HaMikdash to be sacrificed on Yom Tov. The students of Shamai held that you are forbidden to sacrifice an *Olah*-offering on Yom Tov, and they asked Hillel what kind of offering he is bringing. He told them it is a female and that he was bringing it for a peace-offering, which they agreed is permitted on Yom Tov. From there we see that you are allowed to lie in the present and future for peace. See the next section.

Therefore, you should not stop a quarrel by promising that you will do something in the future if you do not intend to do it.

∞ 33.38 ∞

Lying about the present is the same as lying about the future.<sup>102</sup> Therefore, if someone wants to borrow money from you and you don't want to lend to him because you fear he will not pay back, you may not tell him that you don't have any money (if you really do), because that is a lie about the present.<sup>103</sup> If you have money but you need it for something else, you may say that you don't have any money.<sup>104</sup>

∞ 33.39 ∞

Other Poskim argue that you are permitted to lie about the present and future for the sake of peace.<sup>105</sup> You should be

102. *Maharsham*, vol. 7 ch. 152; *Lev Chaim* vol. 1 ch. 5.

103. You are also not allowed to say that you already gave your money to someone else. Even though you are lying about the past, since it pertains to your situation now, it is considered lying in the present.

104. This would mean that you don't have any money to lend him. This is the truth, so even if it is ambiguous, it is nonetheless true, and you may say it for the sake of peace even according to the *Eliyahu Rabbah* and *Peri Megadim* who hold that an ambiguous statement in the present is forbidden even for peace (according to *Sefer Chassidim*).

105. The Rambam (*Hilchos Gezailah* 14:13) says that when the Gemara in *Bava Metziah* 23b says that the rabbis change their words with regard to *maseches*, it means that if he (goes to the *beis midrash* and they are learning a certain *maseches*) and he is learning the same *maseches*, he may say that he is learning a different one, so that people should not ask him questions on what he is learning which he may not know how to answer. As *Lechem Mishne* explains — he will be embarrassed if he does not know.

Rambam holds that he may deviate from the truth in the present, in order to save himself from possible embarrassment. Certainly he should be able to for the sake of peace.

stringent and not lie with regard to the present or the future, even for the sake of peace.<sup>106</sup> If necessary, one could be lenient and stop a quarrel through an ambiguous statement.<sup>107</sup> If very necessary, one may even rely on the lenient view and say an outright lie relating to the present or future, for the sake of peace.<sup>108</sup>

### ☞ 33.40 ☞

When somebody knocks on the door and you do not want to bother with him, sometimes a member of the household is allowed to tell him that you are not home even though you are home. This is permitted only when it will likely cause a *machlokes* if the person knows that you are home and refuse to see him. Then if there is no alternative, someone in the home can say that you are not home, for the sake of peace. Otherwise, since it is a case in the present, you should be stringent like the Poskim who only permit lying with regard to the past, for the sake of peace, but not lying with regard to the present (or with regard to the future). If it is someone collecting *tzedakah* and you do not want to be bothered, you may not have someone say that you are not home unless it is

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106. This is the opinion of the *Magen Avraham*; *Shulchan Aruch HaRav* 156; *Teshuvos Chasam Sofer*, vol. 6 ch. 59. *Rav Pe'alim*, vol. 3 *Choshen Mishpat* ch. 1, also says to be stringent about this.

107. Because according to the *Rav Pe'alim* this is permitted even according to *Sefer Chassidim*.

108. Because the Rambam permits it, and according to explanations Meiri and *Yam Shel Shlomo*, the proof of *Sefer Chassidim* from *Yevamos* 63a, is not a proof. Also see *Ya'avetz* (on *Sanhedrin* 97a) who seems to permit it. Furthermore, as cited further, some *Acharonim* did not understand *Sefer Chassidim* to mean that it is forbidden. *Mishnah Berurah* writes that this Halachah requires further investigation.

for the purpose of preventing a *machlokes*. Of course, that, too, depends on who is it at the door.

If there is some reason that you do not want to talk to the person who is at the door, it is better not to answer the door than to have someone say untruthfully that you are not home.

☞ 33.41 ☞

Some say that you are allowed to lie for the sake of peace only on a sporadic, temporary basis, but not on a regular basis.<sup>109</sup> If one makes it a habit of having someone say he is not home when he really is, it is lying in the present on a regular basis which is forbidden according to many Poskim even for the sake of peace. Although one may be lenient, it must truly be strongly necessary for the sake of peace.

☞ 33.42 ☞

Even though lying for the sake of peace is a mitzvah, it is forbidden to teach your tongue to be accustomed to lie, even if you are doing it for the sake of peace.<sup>110</sup>

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109. *Yam Shel Shlomo*, *Yevamos* 6:46; *Lev Chaim* vol. 1 ch. 5. This is how he answers the question as to why Rav told his son not to deviate from the truth in *Yevamos* 63a even though he was doing it for the sake of peace. Since he was doing it on a daily basis Rav told him to stop, because that teaches one's tongue to lie.

110. See Rabbeinu Yonah, *Sha'arei Teshuvah* 3:186; *Yam Shel Shlomo* (ibid.); *Lev Chaim* vol. 1 ch. 5. This is difficult from the *Midrash* (*Malachi* 2:6) that describes how Aharon HaKohen was accustomed to stopping quarrels and making peace between people, by saying outright lies. It seems like this was his way, and he did not do it only once in a while, but on a steady basis. If someone is routinely involved in this type of work, according to the *Yam Shel Shlomo* it should be forbidden for him to use this tactic. This requires further clarification.



According to others, it is not forbidden but it is advisable to refrain from it.<sup>111</sup>

☞ 33.43 ☞

Some say that only a *talmid chacham* is allowed to lie for the sake of peace.<sup>112</sup> That might be because you are only allowed to lie for the sake of peace if you do not enjoy falsehood, or else because if one is not a *talmid chacham* a deviation from the truth will teach one's tongue to be accustomed to lying. If one is a *talmid chacham* it will not teach his tongue to lie. When it comes to a person being pleasant and participating with people such as praising a bride or someone's purchase, *Chazal* said that everyone should do it.<sup>113</sup>

☞ 33.44 ☞

One is forbidden to lie for the sake of peace if he enjoys lies. One is also not allowed to lie for his own benefit. If someone benefits from making peace or from preventing a quarrel, for example, he gets paid to mediate between disputants, it is questionable if he is permitted to lie for the sake of peace. It is likely that he would be permitted to do so if he benefits from the mediation process or from the successful results, but not from the lie itself. If he benefits from the lie, it would be forbidden even if it is also for the sake of peace.

☞ 33.45 ☞

One is forbidden to fool someone into feeling indebted to

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111. *Yad HaKetanah; Lev Chaim* vol. 1 ch. 5.

112. *Sha'agas Aryeh*, cited in *Pardes Yosef, Vayikra* 19:18.

113. It could be that since the reason is because everyone does it and it is done to make people feel good, it will not teach a person's tongue to lie. This requires further clarification.

him for a favor he did not do for him, even for the sake of peace.<sup>114</sup>

### Lying for Good Middos, Humility...

#### ∞ 33.46 ∞

Lying out of humility is permitted even with regard to the present and future.<sup>115</sup> Lying for the sake of justice also is

114. *Chazon Yechezkiel* on *Tosefta, Bava Kama* ch. 7.

115. The *Chidab* in his commentary to *Sefer Chassidim* proves this from the fact that a *talmid chacham* may lie and say he does not know a *maseches* even though he really knows it. Since he does it out of humility, it will not teach his tongue to lie. With this he also answers the question on *Sefer Chassidim* from Hillel in *Beitzah* 20a, as cited in footnote 101. The answer is that Hillel's response was out of humility, as explicit in Rashi (*Beitzah* 20a), and thus there was no concern that his tongue might learn to lie. [*Maharsham*, vol. 7 ch. 152, says that according to Rashi it was because of peace, and he says that Rashi disagrees with *Sefer Chassidim* and permits lying with regard to the present and future, for the sake of peace.]

But that is only correct according to Rashi, *Bava Metzia* 23b who explains that a *talmid chacham* may deviate from the truth and conceal some of what he has learned because of humility. But *Tosafos* explain that it is because of peace — so that they shouldn't be jealous of him if he knows the *maseches*, and they shouldn't quarrel with him if he doesn't know it. If so, according to *Tosafos* one may deviate from the truth even with regard to the present and future, for the sake of peace.

*Teshuvos Rav Pe'alim* vol. 3 *Choshen Mishpat* ch. 1, answers *Chidab's* question on *Sefer Chassidim*, that one is allowed to lie with regard to the present or future by saying he does not know that *maseches* because there are many levels of knowing. When he says he doesn't know it, he can mean that by comparison to someone much greater, he does not know it. *Sefer Chassidim* will admit that you may make an ambiguous statement for peace. *Rav Pe'alim* proves that this is permitted from the fact that we praise the bride with ambiguous words of praise like *כלה נאה וחטורה*. This proof is refutable because since it is something that the Rabbanan said to do, it will not accustom his tongue to lying. He also proves his point from the fact that Yaakov said *אנכי עשו בכורך* — “I am — Esau (is your) first-

permitted even in regard to the present and future.<sup>116</sup>

☞ 33.47 ☞

Lying for reasons of modesty is also permitted even with regard to the present and future.<sup>117</sup> This refers to modesty

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born.” This was a misleading statement regarding the present and future, and was permitted for peace. This is refutable because Yaakov did what he did because his mother’s command telling him to pretend he was Esau and take the blessings was based on *Ruach HaKodesh*. Therefore, Yaakov made the ambiguous statement only to make it less of a lie, but in any case he had to obey and do what his mother commanded him through *Ruach HaKodesh*. There is no proof from there that an ambiguous statement is permitted with regard to the present and future for the sake of peace.

According to the *Rav Pe’alim*, you would have to explain the Gemara in *Yevamos* (63a) where Rav forbid his son to deviate from the truth even for peace, as referring to a case where his son said an outright lie with regard to the present and future, for peace. This is not like Rashi who explains that Rav’s son only made an ambiguous remark and did not lie outright. The other *Acharonim* (*Eliyahu Rabbah*; *Peri Megadim* etc.), who do not answer this question like the *Rav Pe’alim*, obviously hold that even an ambiguous statement is forbidden with regard to the present and future even for peace. So when Rav forbid his son Chiya from telling his mother a different menu in *Yevamos* 63a, even if he made an ambiguous statement for the sake of peace, and did not say a total lie, Rav would have stopped him.

116. A judge who sees that the other judges on the case are distorting justice, is allowed to say that he does not know how to decide. When a judge says that he does not know how to decide, the Halachah requires adding another two judges to the case. Then the case would be decided by the majority of the five judges (and the two corrupt judges would be outnumbered). *Nesivos* ch. 12:2 citing *Tumim*. See *Maharsham*, vol. 7 ch. 152, that this ruling is against the *Sefer Chassidim* who holds that you are not allowed to lie with regard to the present or future, for peace. In this case, the judge who says he does not know how to decide is lying with regard to the present. *Rav Pe’alim* says that *Sefer Chassidim* will agree that you may lie for justice, even with regard to the present and future, just as you can for humility.

117. *Maharal* in *Nesivos Olam* (*Nesiv HaEmess* ch. 1) writes that modesty overrides truth, so that you are permitted to lie because of modesty, and

about things like the night a woman goes to the *mikveh*, and one's spiritual endeavors, like fasting. If one is fasting (and it is not a fast day) and somebody asks him if he is fasting he should say that he is not fasting.<sup>118</sup>

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that is the reason why the rabbis deviated from the truth with regard to three things (*Bava Metzia* 23a). They did so out of modesty, and this was also the reason Rav Tuvyomi told the neighbor that his wife was not home, when she was washing her hair (in *Sanhedrin* 97a). Even though his two sons died as a result of the lie, that was not because it was a sinful lie, but because it was said in the town of Kushta, where the residents accepted upon themselves not to deviate from the truth even for modesty.

According to those who permit lying with regard to the present because of peace, it could be that he lied because of peace so that the neighbor would not be upset that she did not let her in. See *Ya'avetz* notes on *Sanhedrin* (97) that Rav Tuvyomi deviated from the truth for the sake of peace with the neighbor. Apparently, the *Ya'avetz* also permits lying with regard to the present for the sake of peace, like the Rambam and not like the *Sefer Chassidim*.

118. *Mishnah Berurah* 561. According to the *Magen Avraham* this is a measure of extreme piety, and according to the *Taz* it is "permitted."