

## **WHEN IS LYING PERMITTED IN JUDAISM?**

by Rabbi Dr. Nachum Amsel July 1, 2018

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According to the estimates of some experts, every human being says a lie, misleads or deceives others (or even himself) each day in some form, on an average of nearly two hundred times! Some of these deceptions are intentional, while others are unknown to the person, who is not cognizant that he or she is perpetrating a deception. Lying has become such an accepted part of Western culture that people often think nothing of saying an untruth. For example, when people say "Wait a second," or, "I will be back in a minute," few people are conscious that they are lying when they do not keep to the promised times. Even a recorded company message saying, "A representative will be right with you," is often a lie for callers who have to wait up to fifteen minutes on the phone. Most people do not think that these words are even considered lies or untruths, just as some people think nothing of telling a relative who takes a call, "Tell them I am not home." Most of these daily lies do not cause any real harm or damage. Does this imply that saying untrue words in these circumstances is acceptable? Is it permissible to lie when a statement does not cause pain or hurt to others, if the person speaking the words benefits from the untruth? Is telling someone causally, "I will call you," at the end of a social gathering acceptable when the person has no intention of further contact with that individual? It is clear that at any awards dinner, when the loser says, "It is an honor just to be nominated," few people believe that statement to actually be true, and yet it is repeated at countless ceremonies. The same can be said of the universal expression, "You look great" when it is clear that the receiver of the compliment does not truly look special. Everyone does it. Does that make it appropriate?

Aristotle and Emanuel Kant had quite a different view of lying. They believed that all lies were morally wrong, no matter how small and how inconsequential. Kant called telling the truth a "categorical imperative" and said that any deception was morally wrong, even to lie to a murderer, even to save a life. Plato disagreed and believed that some lies are acceptable. So the question remains until today: Is it always unethical to lie? Or, are some lies morally acceptable? What does Judaism believe about this crucial question that has practical consequences in our daily lives? Does Judaism sanction some lies or not? We will examine this issue through the prism of Jewish sources and discover that although lying is forbidden in Judaism, there are indeed some Jewish values that are of a higher value than telling the truth. What are those values and how do they play out in the daily life of the Jew?

### **THE IMPORTANCE OF NOT LYING**

The centrality of the concept of truth in Judaism has been discussed elsewhere in this volume (see the chapter "Truth and Lying"), where the idea of truth in Judaism is analyzed in depth. The importance of telling the absolute truth, especially in a Jewish courtroom, was discussed and will not be repeated here. However, the general importance of not lying as a Jew will be re-emphasized here, once again, through additional sources.

Based on a Torah verse, the Talmud declares that lying in all business activities is forbidden, i.e., that your "yes" should really be a yes, and your "no" should truly be a no.<sup>1</sup> A sixteenth century rabbi writes that

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<sup>1</sup> Leviticus 19:36, Bava Metzia 49a

telling the truth and not lying in a Jew's everyday routine in an actual mitzvah-commandment.<sup>2</sup> The Talmud describes four groups of people who are denied the Divine Presence, and one of them is people who lie regularly.<sup>3</sup> By using one extra letter, the Torah teaches us to be exact in our words and never lie, even in small and obvious matters. Regarding a house that was suspected of being ritually impure (that had to be validated by a Kohen-Priest to make it official), a rabbi seeing the home would initially say, "It appears to have ritual impurity," even though it was clear to that rabbi that the home was impure. However, since it could not become officially ritually impure until the Kohen said so, the rabbi added the extra letter *Kaf* signifying "it appears", in order not to tell even a mild untruth.<sup>4</sup> Maimonides especially warns Torah scholars to be extremely careful in their words, and never even hint at an untruth.<sup>5</sup> Rabbi Yisrael Meir Kagan (known as the Chofetz Chaim), who became famous for the way he taught Jews how not to misuse their words, says that a Jew who lies is subject to lose all of his or her possessions as well as other harsh punishments, as the sin of lying encompasses many severe sins within Judaism.<sup>6</sup> A person who habitually lies, says the Talmud, will never be taken seriously or be believed, even when he or she tells the absolute truth.<sup>7</sup> The prophet Isaiah implies that once a person's lips are unpurified by repeated lying, even the truth will then come out as lies.<sup>8</sup> On this verse, Chafetz Chaim points out that the impurity of lying stays with the Jew longer than any other type of impurity in Jewish law, especially regarding the impurity related to the head of a human being.<sup>9</sup>

The prevalence of lying did not begin in the twenty-first century, and not even in the twentieth century. Already in the thirteenth century, Rabbeinu Yonah wrote in detail about nine different categories of lying and liars. Some of these (categories of) lies were very benign and of no benefit even to the liar, while other kinds of liars virtually destroy their own lives as well as the lives of many others.<sup>10</sup> Rabbi Eliezer Papo (1786-1827) also describes people who habitually lie, so much so that they convince themselves that their lies are actually true. These people "automatically" continue to lie, even when it is of no benefit to them. He also says that the evil inclination convinces these people that they will continually prosper whenever they lie, but when they are found out, these liars suffer greatly both at the hands of other human beings and at the Hand of G-d. Furthermore, Jews who lie cause a great desecration of G-d's name after they are exposed. (See the chapter about "Madoff, Other Scandals and Greed" for an expansion of this theme.) A Jew should never promise something if he or she is not sure if he or she can keep that promise, and should be very careful before letting any words "escape" his or her mouth in case they will be false. Finally, this same rabbi cites a Midrash that all creatures had to enter Noah's Ark in groups of two. When falsehood wanted to come into the Ark, it had to find a companion, and it found the concept of "damage" willing to accompany it. They united and from that point onward, each benefitted the other. Falsehoods and lying caused great damage, and damage brought on more lying.<sup>11</sup> Rabbi Moshe Chaim Luzzato calls lying a sickness that envelops an individual, but then he differentiates between different types and degrees of lying.<sup>12</sup>

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<sup>2</sup> Sefer Charaidim, Mitzvot Asei Bipeh, 26

<sup>3</sup> Sotah 42a

<sup>4</sup> Leviticus 14:35 with Rashi and Gur Aryeh commentaries

<sup>5</sup> Maimonides, Hilchot Deot 5:7, 13

<sup>6</sup> Sefat Tamim, Chapter 2

<sup>7</sup> Sanhedrin 89b

<sup>8</sup> Isaiah 6:5

<sup>9</sup> Kavod Shamayim, 2:6

<sup>10</sup> Shaarei Teshuva, Shaar Shlishi 178-186

<sup>11</sup> Pele Yoetz "Emet"

<sup>12</sup> Mesilat Yesharim 11, Midat Hanekiut

There is, however, one Talmudic source that seems to follow the philosophy of Aristotle and Kant – that all lies, no matter how small, how benign, are immoral and forbidden. This was the rule in the legendary city of Kushta, where everyone always told the truth and no one ever died. Then one day a visitor came seeking a man’s wife. Since she was in the middle of washing her hair, he thought it would not be proper etiquette to tell the visitor what his wife was actually doing. Therefore, he said his wife was not home. Soon afterwards, both of his sons died as a result. The townspeople thereafter forced this man to leave the town.<sup>13</sup> The question, then, is if this source about the city of Kushta is representative of a legitimate Jewish view, or is it one aberrant Midrash that conflicts with normative Judaism? The rest of this chapter will show that Judaism generally does not uphold this viewpoint, and life in Kushta is not how people should really live. Lying, under certain conditions, is not only permitted in Judaism, but is actually encouraged when other Jewish values come into conflict with telling the truth. Which Jewish values supersede telling the truth, and when is lying permitted or even required in Judaism? This chapter will examine this question in detail.

### **LYING TO PREVENT DANGER TO HUMAN LIFE**

It has already been established elsewhere in this volume that one of the highest values in Judaism, if not the highest value, is the preservation of human life. Therefore, if a Jew has to violate 610 of the 613 mitzvot-commandments to save a life even in remote danger, he or she should do so.<sup>14</sup> (There are three cardinal mitzvot that a person may not transgress under threat of death: murder, idol worship, and illicit sexual transgressions.) Among these 610 is the commandment to tell the truth. Therefore, if a Jew must lie to save his or her life, one not only has permission to do so, but must lie in such a situation. This Jewish law, of course, runs counter to the “categorical imperative” of Emanuel Kant mentioned above, and shows that there are other values higher than telling the truth in Judaism.

Long before Jewish law was even formally established, we can see many examples in the Jewish Bible which emphasize that lying is permitted in order to save one’s life. The very first Jew, Abraham, lied when he perceived that his life might be in danger when he went to Egypt. He did this because he knew that it was quite common for the king to take any beautiful woman for himself, and Abraham therefore worried that his wife Sara would be taken by the current Pharaoh, as she was exceedingly beautiful. Thus, he said that he was Sara’s brother, and not her husband.<sup>15</sup> For a similar reason, David deceived the people when he went to the land of Gat to hide from King Saul who was chasing him in order to kill him. People there saw David and wanted to bring this fugitive to King Achish (who would then turn him over to King Saul to be killed). Thus, David pretended to be insane and acted crazy,<sup>16</sup> thereby deflecting suspicion from himself that he could actually be the famous David. Two of the Bible’s heroines, Shifra and Puah, risked their lives by defying Pharaoh when he told them to kill all the male Jewish babies, which they refused to do. When Pharaoh questioned them, they could not possibly tell him the truth about having saved the babies (and continue to live), so they lied to him, saying that the Jewish mothers gave birth to their babies before they arrived at the scene.<sup>17</sup>

During war, a time of life and death decisions, it is perfectly legitimate to lie to one’s enemy. Sisra, the Philistine general, did not know that Yael was Jewish when she invited him into her tent. She said

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<sup>13</sup> Sanhedrin 97a

<sup>14</sup> Maimonides, Hilchot Yesodai HaTorah 5:1-2

<sup>15</sup> Genesis 12:10-13

<sup>16</sup> I Samuel 21:11-15

<sup>17</sup> Exodus 1:16-19

she would give him water, but she gave him warm milk instead, which made him sleepy, and she then killed him.<sup>18</sup> The Talmud states a general rule that it is permitted to “modify the truth” for the sake of peace,<sup>19</sup> but based on the three Biblical examples and proofs it gives for this rule, it seems that the peace referred to is life itself. One instance of lying cited for the sake of peace occurred after Jacob died, and his sons were afraid that Joseph would now take revenge upon them for selling him to Egypt many years earlier.<sup>20</sup> Therefore, they lied and said that their father Jacob had told them before he died that Joseph should not take revenge upon them. (If Jacob had actually known about the sale and felt this way, he would have told Joseph directly.)<sup>21</sup> Thus, the brothers lied to save themselves from possible death.

Similarly, the prophet Samuel was afraid that if King Saul were to find out that he was going to anoint David as king to replace him, King Saul would kill Samuel on the spot. After asking G-d what to do, G-d told Samuel to tell Saul that he was bringing a sacrifice in that area (which he also did), which would deceive Saul as Samuel’s true mission was to anoint David.<sup>22</sup> Thus, G-d told Samuel to deceive Saul in order to save his own life. Finally, the Talmud says that G-d actually lied when repeating to Abraham the words of Sara. When Sara heard the news that she would give birth to a baby (at the age of 90), she laughed and questioned how this could be when her husband was so old (100 years old).<sup>23</sup> When G-d told the story over to Abraham, however, G-d said that Sara had asked how she could give birth to a baby when she was so old.<sup>24</sup> According to some commentaries, G-d changed Sara’s statement because He felt that if G-d told Abraham Sara’s words precisely, Abraham might have gotten angry, not wanted to have the baby and in doing so, endanger the future of not only this child’s potential life, but the entire Jewish people. Thus, in a way, this lie by G-d was also perpetrated in order to preserve life.

The Talmud cites a case of a man who was invited to another man’s house and suspected the host was about to kill him. When the meal was served, the guest remarked that this food tasted like the meal that the king had served him. When the host heard that his guest knew the king, he refrained from killing him.<sup>25</sup> Actually, the man lied about knowing the king, but this bluff saved his life. In another Talmudic case, Rabbi Elazar was brought before the Roman authorities, accused of learning Torah and stealing. He answered their series of questions by lying, which eventually saved his life.<sup>26</sup> Therefore, it is clear that where there is a choice between loss of life and telling the truth, a Jew should always lie in order to preserve life.

### **THE “WHITE LIE” TO MAINTAIN PEACE – BUT WITH SPECIFIC CONDITIONS**

It is very common in Western Society to hear many “White Lies” which society seems to believe is not unethical. What does Judaism believe? A “White Lie” could be defined as a fib, a trivial, diplomatic or well-intentioned untruth. It also may be characterized as a minor, harmless or unimportant lie, especially one uttered in the interests of tact or politeness. Would such a lie be permitted in Judaism? Unlike lying to possibly preserve human life, while there is consensus in Judaism that lying is permitted to save a life, there is little agreement by Jewish thinkers about when and where the “White Lie” is valid.

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<sup>18</sup> Judges 4:17-21

<sup>19</sup> Yevamot 65b

<sup>20</sup> Genesis 50:15

<sup>21</sup> Genesis 50:16-17

<sup>22</sup> I Samuel 16:2-5

<sup>23</sup> Genesis 18:12

<sup>24</sup> Genesis 18:13

<sup>25</sup> Sotah 41a

<sup>26</sup> Avodah Zara 17b

Rabbi Eliezer of Metz in the 1100's writes that any lie where no harm will come as a result is not forbidden in Judaism.<sup>27</sup> He bases his belief on the famous Talmud passage in Ketuvot, where the House of Shammai and the House of Hillel argue about how to describe a Jewish bride.<sup>28</sup> In order to fulfill the commandment to bring joy to the bride and groom, how should Jews dance and address the bride? Should the Jews at the wedding say that the bride is beautiful when she clearly is not attractive, or should they refrain from such a characterization? Beit (House of) Shammai says that no mention of any bride's beauty should ever be uttered (since it would be terribly insulting to characterize some of the brides as beautiful and say nothing about those who are not beautiful), and, thus, it is forbidden to lie and say a bride is beautiful when she is clearly not. Beit Hillel says every bride should be characterized as beautiful. Beit Hillel asks Beit Shammai about the situation where a wife buys a dress she likes (and it cannot be returned), and asks her husband how he likes the dress (which is clearly nothing special). Should the husband lie and say the dress is beautiful? In this situation, even Beit Shammai agrees with Beit Hillel that it is permitted to lie and say the dress is beautiful, because telling the truth in this situation to the wife would only result in hurt, while praising the dress will cause no harm. Beit Hillel says the same logic applies to the bride.

From this Talmudic passage in Ketuvot, it seems that it is permissible to tell a "White Lie" in Judaism in order to make someone feel better, where no practical harm will come of the lie. An almost identical Talmudic passage says that Beit Hillel agrees that it is not a lie to say that the bride is beautiful since she is beautiful to her husband at that moment, or is a beautiful person "inside." Beit Shammai disagrees, but Hillel goes on to declare that unlike lying in business, the most important value here is maintaining good will and peace, as we saw that even G-d lied to maintain peace between Abraham and Sara.<sup>29</sup> From the perspective of Jewish law, Shulchan Aruch rules like Beit Hillel and we do indeed "lie" and say to every bride that she is beautiful.<sup>30</sup> What are the practical implications of this in everyday life and the ethical values of when lying is permitted?

The commentaries explain when and why this kind of lying is permitted. Rabbi Shmuel Strashun (18794-1872) wrote that since the dress bought by the wife cannot be returned, there is no practical benefit in telling the truth, as she is stuck with the dress anyway.<sup>31</sup> Orchot Tzadikim (15<sup>th</sup> century) stresses that a person who modifies the truth but derives no benefit for himself and causes no harm to others is still forbidden from doing so (as it can often lead to habitual lying that has dire consequences), but this act is not punishable in and of itself.<sup>32</sup> Rabbeinu Yonah seems to say that if the only intention of the "White Lie" was to make the person feel better and it causes no one harm, then it is permitted, as maintaining family peace is of a higher value than truth.<sup>33</sup>

Rabbi Yehuda Chasid adds an important caveat. The "White Lie" is only permitted regarding past events (i.e., the dress was already bought and cannot be returned, or the bride is already married). But if it affects anything in the future, then even a "White Lie" is not permitted. Therefore, he says that if a person is asked by a friend to lend him money, and the person does not want to make the loan because he fears that the loan will not be repaid by the friend, it is forbidden to lie in this situation and say "I do not have the money" when he does indeed have the funds (or to say any other untruth), even though

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<sup>27</sup> Seer Yerai-im, Amud 8, 245

<sup>28</sup> Ketuvot 16a with Rashi and Tosafot commentaries

<sup>29</sup> Kallah, chapter 10

<sup>30</sup> Shulchan Aruch, Even Ha-ezer 65:1

<sup>31</sup> Reshash commentary on Ketuvot 17a

<sup>32</sup> Orchot Tzadikim, Shaar 22

<sup>33</sup> Shaarei Teshuva, Shaar 3:181

lying will keep the peace and maintain the friendship. The loan is about a future event, and regarding the future, one may never lie at all.<sup>34</sup> Other commentaries agree with this approach, and explain that regarding past events a “White Lie” will not turn a person into a habitual liar. However, if a person begins to lie about the future, even a “White Lie,” then this person will begin to lie in many more circumstances.<sup>35</sup>

In the end, though, the achievement of peace, where no one is hurt in the process, seems to take precedence over telling the truth. Aaron, the High Priest, appears to be universally praised for bringing together two people who had been arguing, telling each one that the other person was really sorry, but just too embarrassed to tell say so. This is a clear lie, and yet the outcome of peace between the two people is achieved through this lie and seems to be permitted and praised.<sup>36</sup> One Talmud commentary states the numerical value of “*Sheker-lie*” in Hebrew is the same numerical value as “*Derech Shalom-Way of Peace*” in Hebrew, indicating that if a lie is needed in order to achieve peace, it is permitted.<sup>37</sup> The idea that a “White Lie” is permitted in Judaism is also reflected in normative Jewish law by both Rabbi Abraham Gumbiner (1637-1682) in his “*Magen Avraham*” Jewish law commentary<sup>38</sup>, as well as by Rabbi Yisrael Meir Kagan (1838-1933) in his “*Mishne Berurah*.”<sup>39</sup>

A contemporary rabbi stresses that such “White Lies” are only permitted where no one loses and peace is achieved, and when the person lying is not a habitual liar who loves to play fast and is loose with the truth. But in any situation where anyone benefits in any tangible way from a lie, or causes a person a loss, and does not achieve peace, or helps turn a person into a regular liar, then that lie is forbidden. He also confirms that only a “White Lie” said to achieve peace about a past action is permitted, quoting Onkelos’ commentary, since it remains just words. But once a lie affects the future, the words transform into an action that is clearly forbidden.<sup>40</sup> Both Rabbi Yitzchak Alfasi (1013-1103) and Rabbi Shmuel Eidels (1555-1631) remark that since the Talmudic passage quoted earlier states that it is not only permitted to change words to achieve peace but one is commanded to do so (it is a Mitzvah-commandment), this shows us that the value of achieving peace supersedes the value of telling the truth in Judaism.<sup>41</sup>

### **LYING TO AN EVIL PERSON**

There is an additional principle in Judaism that lying is permitted to a person who is evil, who will surely try to harm you or someone else. This idea is evident in Judaism, even though it flies in the face of one of the fundamental principles of Emanuel Kant, who specifically said that even lying to an evil person is immoral. Based on a verse in Isaiah, The Talmud, long before Kant, clearly permitted deceiving and even lying to someone who is out to hurt others and do evil.<sup>42</sup> The Mishna says that a Jew may even swear falsely to a representative of an evil or deceitful king, or anyone who is habitually dishonest.<sup>43</sup> The example given is regarding farmers who are permitted to say or even swear to potential robbers that their produce already belongs to the king, in order to prevent the robbers from stealing it. A Jew

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<sup>34</sup> Sefer Chasidim 426

<sup>35</sup> Sefer Taamei Haminhagim, page 560

<sup>36</sup> Avot DeRabbi Natan 12

<sup>37</sup> Ben Yehoyada commentary on Yevamot 65b

<sup>38</sup> Magen Avraham on Shulchan Aruch, Orach Chaim 156

<sup>39</sup> Mishne Berurah on Shulchan Aruch, Orach Chaim 156

<sup>40</sup> Niv Sefatayim, Hilchot Issurei Sheker 2:15

<sup>41</sup> Rif commentary on Bava Metzia 23b, Maharsha commentary on Yevamot 65b

<sup>42</sup> Sotah 41b

<sup>43</sup> Mishna Nedarim 3:4

can also lie in order to avoid paying taxes levied only against Jews. One may even flatter a person by saying that he is a “servant of fire,” implying servitude to a certain person or the Persian King, when the Jew actually has in mind that he is a servant of G-d, who is also called fire.<sup>44</sup> Even to right a past wrong, in certain circumstances, it is permitted to lie. If a person stole from you, and you say to his wife that her husband told you to tell her to “give me two wallets,” that is permissible as a way of returning the stolen money, although her husband never actually told you anything.<sup>45</sup> The Shulchan Aruch rules that it is sometimes permitted to lie as a means of protecting oneself from unscrupulous people in negotiations.<sup>46</sup>

### **LYING TO PREVENT EMBARRASSMENT, ESPECIALLY OF A TORAH SCHOLAR**

Many people justify lying in order to avoid personal embarrassment. This applies to a Torah scholar as well. The Talmud states that in three specific areas a Torah scholar may not tell the truth – all to avoid embarrassment or appearing haughty.<sup>47</sup> What are these circumstances where lying by a Torah scholar is permitted? If a Jew asks a Torah scholar if he is familiar with the details of a certain tractate of the Talmud or if he is currently learning a particular passage, the scholar may answer “no” even though he is very familiar with every aspect of that Talmudic book. The reason is threefold. If the rabbi answers truthfully, then when he is not familiar with a particular tractate, the Jews will then say that the rabbi knows this tractate but not that tractate. By answering “no” to all such questions, the questioner will never discover which tractates the Torah scholar knows and does not know, avoiding needless embarrassment. A second reason is to avoid looking haughty, by answering “yes,” which appears to “show off” his Torah knowledge. A third reason is that the scholar may not want to be questioned at that particular time concerning that passage or his Talmudic knowledge.

The second situation when a Torah scholar may modify the truth is readily understandable: if someone asks a Torah scholar how often he has marital relations with his wife, he may avoid a specific answer or not tell the truth. This violation of privacy allows that Torah scholar to lie.

A third area where a Torah scholar may modify the truth applies to situations of hospitality. Rashi, commenting on Bava Metzia, writes if someone enjoys especially generous hosts, you can downplay their hospitality out of concern that if the truth were publicized, many people would seek their kindness and cause them to exhaust their resources. Another authority says if a Torah scholar is asked where he resides, he may avoid the answer or give the wrong information. The reason is that he may not want many people visiting him there unannounced. The protection of the privacy of the Torah scholar (in all three cases) is labeled by Tosafot as “the path of peace” – i.e., in order to keep relations peaceful, the Torah scholar may refrain from saying the truth. Maimonides codifies this idea into Jewish law, but says it refers only to a veteran, noted Torah scholar who would never lie in any other circumstance (and probably is bothered greatly by many questions).<sup>48</sup> Rabbi Moshe Isserles describes the three particular situations a bit differently from those outlined by Maimonides and the Talmud, when Shulchan Aruch, too, codifies this concept as Jewish law.<sup>49</sup>

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<sup>44</sup> Nedarim 62b

<sup>45</sup> Yoma 83b

<sup>46</sup> Shulchan Aruch, Choshen Mishpat 33:5

<sup>47</sup> Bava Metzia 23b with Tosafot commentary

<sup>48</sup> Maimonides, Hilchot Gezaila Ve-avaida 14:13

<sup>49</sup> Shulchan Aruch, Choshen Mishpat 262:21

The very modest Shmuel Hakatan lied to avoid causing someone embarrassment:<sup>50</sup> Rabban Gamliel had invited seven scholars to a particular meeting, but when he noticed that there were eight people in the room, he asked who had not been invited. Shmuel Hakatan lied and said that he had not been invited and excused himself, even though he had indeed been invited. He wanted to avoid embarrassing the young scholar who had invited himself to the meeting.

Rabbi Yehoshua ben Chanina lied in order to avoid criticizing the bad cooking of his hostess. Instead of saying that the food was much too salty to eat, he said that he had eaten earlier in the day and was no longer hungry.<sup>51</sup> When criticizing the people for intermarrying with non-Jews, the prophet Ezra said that “we” sinned to G-d, including himself in the sin, even though his wife was clearly Jewish. He did not want to overemphasize the sin and embarrass the people by pointing out that it was only they who had sinned.<sup>52</sup> This concept is codified in Jewish law even in day-to-day issues in our times. A contemporary Jewish law expert, Rabbi Shmuel Vozner, deals with a similar case. He discusses the situation in a synagogue that is collecting funds for a Torah scholar who is in a great financial need, but does not wish for anyone to know about his predicament. To avoid embarrassment, they ask if it is permissible to “lie” and tell the congregation that the funds are being collected for a poor bride who needs money to get married. In the end, Rabbi Vozner rules that it is permitted to falsify the goal of the Tzedaka-charity funds if the congregation has collected in the past for poor brides as well.<sup>53</sup>

#### **LYING IN A MANNER THAT HAS SOME TRUTH WITHIN IT**

Even when the Rabbis gave permission, in certain situations, for Jews to lie, it is important to minimize the lying as much as possible. That is why the Talmud said that you may “*Leshanot-change*” the truth to achieve peace, and did not even use the word “*Lishaker-lie*.” Whenever possible, there should be some truth in any untruth that is spoken. Thus, for example, in the Talmudic passage when the prophet Samuel was instructed by G-d to tell King Saul that he was going to bring a sacrifice (and not anoint David to be king), in the end Samuel did actually bring a sacrifice. Meiri points out that since he did bring a sacrifice as well, even though it was not his prime objective, Samuel did not really lie to Saul.<sup>54</sup> Regarding the same passage, another commentary also says that if a statement can be understood in two possible ways, and the listener understands it in the “wrong” manner (in a situation where it is permitted to lie), then that kind of statement is preferable to an out-and-out lie.<sup>55</sup> He gives the example of Abraham declaring that Sara was his sister. This, too, was not an outright lie as we know that Sara was Abraham’s niece.<sup>56</sup> In many languages, including Hebrew, the word for niece or nephew is a form of the word for brother or sister (after all, a niece or nephew is the child of a sibling). Thus, when Abraham said Sara was his sister, it was not an absolute lie.

In the passage above where Jews are permitted or obligated to tell all brides that they are beautiful,<sup>57</sup> the beauty may refer to inner beauty or, as mentioned above, the intended meaning can be that for that groom on the wedding night, she really is beautiful. Thus, “a beautiful bride” is also not a complete lie. The Talmud recalls the story of Rabbi Eliezer who was arrested for heresy, i.e., practicing Judaism. When the non-Jewish court asked Rabbi Eliezer how he could believe in such a foolish thing

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<sup>50</sup> Sanhedrin 11a

<sup>51</sup> Eiruvim 53b

<sup>52</sup> Ezra 10:1-2 with Malbim commentary

<sup>53</sup> Responsa Shevet Levi, Section 2, Yoreh Deah 119

<sup>54</sup> Meiri commentary on Yevamot 65b

<sup>55</sup> Aruch LeNair commentary on Yevamot 65b

<sup>56</sup> Genesis 11:29 with Rashi commentary

<sup>57</sup> Ketuvot 16b



called Judaism, Rabbi Eliezer answered, “The judge is correct.” Rabbi Eliezer was referring to G-d, the Judge who is always correct. But the judge in the court (mistakenly) believed that Rabbi Eliezer was referring to him, and on that basis pardoned him.<sup>58</sup> Thus, a statement that can be interpreted two ways with some truth to it is the preferred type of lie.

Rava said that a Torah scholar was permitted to say, “I am a worshipper of fire, and will, therefore, not pay the poll tax.” Apparently, this tax was levied upon Jews, but not upon Persians who worshipped fire, and thus the Torah scholar who said this was excused from the tax. But this scholar was actually referring to G-d, Who is also called Fire, unbeknownst to the Persian tax collector.<sup>59</sup> This type of lie is then permitted. The double meaning does not allow the person to lie, but when it is allowed anyway, a lie with one possible true meaning is always preferred. Thus, a modern rabbi rules that if the only way to achieve peace (for past events that will not harm anyone) is by lying, one should, nevertheless, try to lie in a way that can be interpreted in two possible ways, with one way being the truth. Furthermore, even a Jew who is permitted to lie in a specific circumstance should always try to limit the words of untruth as much as possible.<sup>60</sup>

#### **OTHER CIRCUMSTANCES WHERE IT IS PERMITTED TO LIE IN JUDAISM**

There are other circumstances that permit a Jew to lie in specific instances. Thus, Rabbi Nachum Yavrov explains that in order to keep a commandment or avoid committing a sin, a Jew may sometimes tell an untruth. He further says that if a lie will deflect attention away from a person as being very pious, it is possible to lie. He gives the example of a person who has taken upon himself to fast when most Jews do not fast in similar circumstances. When asked if he is fasting, this Jew may lie and say he or she is not fasting, in order not to call attention to one’s piety.<sup>61</sup> These rulings are borne out by certain stories in the Midrash and Jewish law.

A Jew is supposed to say Grace After Meals in the place where he or she ate the meal.<sup>62</sup> The Talmud relates that Rabbah accidentally left the place where he had eaten before reciting the concluding blessing. He told an untruth to others to return to the place where he had eaten to recite the blessing.<sup>63</sup> (If he had told the truth, it might have seemed like he was making himself out to be righteous.) When the sons of Rabbi Meir passed away on Shabbat, each time Rabbi Meir inquired about them, his wife, Beruria (a Torah scholar in her own right) lied about what happened and told him different stories about the boys, gradually hinting to Rabbi Meir that they had died.<sup>64</sup> She did this in order not to interrupt his Shabbat experience, and not to shock him too suddenly about the deaths. Elijah made himself out to be poorer than Rabbi Akiva (even though he was not), in order to make Rabbi Akiva feel better about himself.<sup>65</sup>

The scenario that a Jew who is pious should lie in order not to reveal to others that he or she has taken upon himself or herself an “extra” fast is specifically stated by Shulchan Aruch, Magen Avraham and Mishne Berurah.<sup>66</sup> Another type of lie or untruth that is permitted is an exaggeration in certain

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<sup>58</sup> Avodah Zara 16b

<sup>59</sup> Nedarim 62b, Deuteronomy 4:24

<sup>60</sup> Niv Sefatayim, Hilchot Issurei Sheker 2:9-10

<sup>61</sup> Niv Sefatayim, Hilchot Issurei Sheker 3

<sup>62</sup> Maimonides, Hilchot Berachot 4:1

<sup>63</sup> Berachot 53b

<sup>64</sup> Midrash, Yalkut Shimoni 31a

<sup>65</sup> Nedarim 50a

<sup>66</sup> Shulchan Aruch, Orach Chaim 656:6 with Magen Avraham and Mishne Berurah commentaries

circumstances. To make a point, the prophet said that all of the people were behind Solomon, when it was not literally all of the Jewish people.<sup>67</sup> Similarly, it is permitted to exaggerate about a person's good traits, but not lie, when it comes to a eulogy. It is even a mitzvah-commandment to do so, in order to bring people to tears and create the proper mood of the funeral, but not to exaggerate too much.<sup>68</sup>

Under certain circumstances, it is permitted to lie to a sick person and tell him or her that their illness is not terminal even if it is – if the person is sure that the truth will only make that same individual feel much worse psychologically and may even affect the patient's physical condition. (The concept about when to tell the truth to patients and when one may lie is a long and complicated ethical discussion in and of itself, which is beyond the scope of this volume.) The prophet Elisha lied to the King of Aram by not indicating that his illness was terminal.<sup>69</sup>

### **BUT NEVER TEACH CHILDREN TO LIE**

There is one area (in addition to the Jewish courtroom) where any form of lying or even exaggeration is clearly prohibited, and that is in dealing with one's children. This is part of the mitzvah of educating children, who often see the world as black and white. Thus, all lying is forbidden in their presence, for the purpose of educating them properly.

A story in the Talmud speaks about Rav, who had a despicable wife who tormented him. Whenever Rav requested lentil soup, she purposely gave him pea soup in order to displease him. Likewise, when he requested pea soup, she purposely gave him lentil soup. Chiya, Rav's son (who would grow up to be a Talmud scholar), was pained by what his mother was doing. Thus, when Rav asked Chiya to tell his mother to cook pea soup, Chiya purposely lied and told his mother that his father had requested lentil soup, so that his father would get what he truly desired. Eventually, when Rav figured out what was going on (since he was surprised that his wife was suddenly being nice to him and preparing the soup that he asked for), Rav told Chiya to stop the lying. Even though he was smart and understood the situation, it was morally wrong to lie and wrong for Rav to let his son lie, no matter how good the intentions.<sup>70</sup> A child who lies for the right reasons may grow up to lie for the wrong reasons.

Similarly, regarding a child using a parent's Lulav, Jewish law states that a child can acquire an object legally but cannot then give it to someone else. Thus, Rabbi Zeira said that a parent should not give the Lulav to a child to use on the Yom Tov festival and then get it back again for the parent to use it the next day. When the child figures out the Jewish law, that child will understand that the parent never intended to give it as a gift to the child in the first place, and was really lying to the child all the time by doing this.<sup>71</sup> Then Rabbi Zeira warns all parents and gives them stern advice that many parents today are still not sensitive to: never promise a child something and then not deliver. The child will learn that it is permissible to lie, and thereby the parent will be committing a sin.<sup>72</sup>

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<sup>67</sup> I Kings 1:40, Chulin 90b

<sup>68</sup> Shulchan Aruch, Yoreh Deah 344:1

<sup>69</sup> II Kings 8:7-10

<sup>70</sup> Yevamot 63a

<sup>71</sup> Sukkah 46b with Arch LeNair commentary

<sup>72</sup> Sukkah 46b