



## HALACHA HIGHLIGHT

Lying When it Causes No Harm

הרי שהיתה חיגרת או סומא אומרים לה כלה נאה וחסודה והתורה אמרה מדבר שקר תרחק

*If the bride was lame or blind does one declare that she is a beautiful and charming bride? The Torah said "Distance yourself from falsehood"*

There are different opinions concerning one who lies in a way that causes no harm to others. Rabbeinu Yonah<sup>1</sup> enumerates nine different categories of liars and the fourth category is one who while retelling a story knowingly changes some of the facts. Although no one is harmed by this lie it is nonetheless prohibited and it represents a love of falsehood which will eventually lead to testifying falsely. The ninth category is one who lies and derives pleasure from the fabricated story. Although no one is harmed by the lie, it is nevertheless prohibited but he writes that it is not so severe as the fourth category which is someone who lies and does not even derive pleasure from the lie.

In contrast, Teshuvos Hisorerus Teshuvah<sup>2</sup> cites the Gemara in Sukkah<sup>3</sup> which teaches that one should not tell a child that he will give the child a gift and not follow through on the pledge since it trains one to lie. He explains that the Gemara is not concerned about the child learning to lie but that the adult will become accustomed to lying. This indicates that the lie, in and of itself, is not prohibited and the only reason one should refrain from lying when it causes no one harm is that it develops bad character but not that it is prohibited.

Sefer Yeraim<sup>4</sup> writes that the only lie that is prohibited by the Torah is one that causes harm to others but if no one is harmed by the lie it is not prohibited. Accordingly, he questions the intent of Beis Shammai when they asked Beis Hillel why it is permitted to say that a bride is beautiful if she is objectively unappealing. Why did Beis Shammai think that calling the bride beautiful violates a prohibition if, seemingly, it causes no harm. Yeraim answers that the concern is that calling a bride beautiful if she is not beautiful violates the prohibition of דעת גיבת דעת but does not violate the prohibition against lying.

1. שערי תשובה שער ג' אות קע"ח-קפ"ו
2. שו"ת התעוררות תשובה ח"א סי' ט"ז
3. גמ' סוכה מ"ו
4. ספר יראים סי' רל"ה

## MUSSAR FROM THE DAF Don't Hold Back

מכאן אמרו חכמים: לעולם תהא דעתו של אדם מעורבת עם הבריות

Most people, when they hear the Chazal that our Gemara quotes of being מעורבת עם הבריות, they believe it means one shouldn't be a loner, rather they should mix with people.

However, if you look at the context of this Chazal, it seems to be based on the opinion of Bais Hillel, regarding how one praises the Kallah. What is the connection? Also, why does this Chazal begin with the word לעולם?

It seems that the Chachamim learned from Bais Hillel that one can't relate to a person based on what is objectively אמת and שקר. Rather, one has to always put one's self in the other's circumstance and relate to him in that manner. In the example from the previous gemara, Bais Hillel understood that there is no תועלת in holding back from praising the Kallah. In fact, it could even damage their relationship. And this is what the Chachamim deduced from the psak of Bais Hillel. We see this in the loshon as well. The Chachamim began the statement with לעולם to tell us that is the only thing we need to think about when we talk with others - "What can I say that can be a benefit to this person?" And the Loshon of מעורבת which means to mix or blend, Chazal are teaching us that we have to enter into the mind of another (to mix in) when deciding what to say to them.

A person who has this attitude of being מעורבת עם הבריות, will only say those things that is of benefit to their kids, their spouse, and other loved ones, therefore building those critical relationships.

## POINT TO PONDER

The Gemara writes that when the Rabbis gave זירא סמיכה רבי זירא סמיכה they said "לא כחל ולא שרק וכו'" these items relate well to a bride as to whom it is compliment that she's so pretty that she doesn't even need eye shadow or makeup to make her look attractive. But how do these statements compliment זירא רבי who was receiving סמיכה because of his vast knowledge of הלכה?

### Response to last week's Point to Ponder:

רש"י ד"ה הבעל מהימן writes that we do not say that a woman has a חזקת הגוף due to her חזקת הגוף. Since the debate is over the amount of her כתובה, how can the חזקת הגוף help her? Even if she was still בתולה when she got married, her כתובה may be only a מנה if she was a אלמנה or גרושה מן האירוסין. The husband is not saying that she wasn't a בתולה, he is just saying that she was a אלמנה.

The רמב"ן writes that in this case there is no חזקת הגוף because it doesn't help us determine that she was never married. Perhaps we can explain that רש"י does not mean that the חזקת הגוף by itself would determine that she is right, but rather it is combined with רב נשים רוב בתולות נישאות, and together strengthens her position.

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