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Halacha – Jewish Law

QUESTION: An acquaintance of mine, who used to work with me in the office, moved to another location to take a different job and I had not spoken to him for a while. I needed to ask him something, so I gave him a call. Since I had not spoken with him for a while, I asked him how he was doing with genuine curiosity and concern. Apparently, my acquaintance misinterpreted the tone of my tone and thought that I was aware of his rather serious medical situation and proceeded to thank me for my care and concern in asking how he was doing. I felt awkward and played along with his erroneous assumption. I feel guilty about deceiving him though. Should I have told him the truth?

ANSWER: The Gemorah in Yevamos 65b, is the source to permit lying for the sake of peace. The Gemorah cites Rabbi Ile'ah in the name of Rabbi Elazar the son of Rabbi Shimon that one may “change” to maintain the peace. He learns this from Yoseph’s brothers who lied to Yoseph to maintain peace between them. Yoseph’s brothers told Yoseph, that Yaakov had instructed them to tell Yoseph to forgive them for their sin against Yoseph (for throwing him into the pit). In fact, Yaakov did not leave any such instruction.

Rav Nosson is then cited in the Gemorah saying that it is not just permitted to lie to maintain the peace, but it is even a Mitzvah to do so as Hashem commanded Shmuel to anoint Dovid the king and lie to Saul (the current king) and say to him that he is merely coming to bring an offering to Hashem (See Shmuel 1, 16:1-2).

Which opinion do we follow? The Chofetz Chaim (Hilchos Rechilus 1:14) rules that we follow the opinion of Rav Nosson and he is not alone. The Rif in Yevamos, and even more so in Bava Metziah 13a, quotes our Gemorah and clearly rules in accordance with Rabbi Nosson. The Rosh in Yevamos 6:21, also rules like Rabbi Nosson and the Ohr Zaruah Bava Metziah 3:63, does as well.

Accordingly, in your case, it was a Mitzvah to go along with

your friend’s assumption that you were asking about his welfare out of concern for his medical condition, rather than tell him the truth and make him feel bad that you were not checking in on him out of concern for his wellbeing.

Chizuk - Inspiration

Rabbi Yechezkel Shraga Halberstam ZT”L (1813–

1898), was known as the Shinever Rov. He was the eldest son of the Divrei Chaim, Rabbi Chaim Halberstam of Sanz ZT”L. Rav Yechezkel Shraga was born in Tarnogród, Poland which was then under the Russian Tsar, Nicholas the First. Tsar Nicholas the First, issued the draconian Cantonist decrees where Jewish children were forcibly taken from their parents to serve in the Tsar’s army for many years.

At the age of 16, Reb Yechezkel Shraga married the daughter of Rabbi Arye Leib Lipszyc. To get married at the age of 16, Rabbi Arye Leib needed permission from the civil authorities who required that he be assessed as to whether he was mature enough to marry. He met with the authorities and was accompanied by his mother.

During the meeting, the official asked him a sensitive question, “Who do you like better, a Jew or a Gentile?” Alarmed, his mother whispered to him, say “gleich” which means “equally”. This was the response that the official wanted to hear and would gain him the permission to marry. Instead, Reb Yechezkel Shraga responded forcefully and in a somewhat perturbed fashion, “Why should I dislike a Gentile who has done me no harm?” Satisfied with the response, the official permitted him to marry and issued him a marriage license.

When they had left the building, Rav Yechezkel Shraga apologized to his mother and said, “Had I responded with, ‘gleich’ that would have been a lie, and I did not wish to lie.”

On The Parsha

The Midrash in Bereishis Rabbah 31:4-5, quotes Rabbi Levi who explains that the generation of the flood committed every type of transgression, but their decree was not sealed until

they stretched out their hands in theft.

This is a striking statement. Consider what Rabbi Levi is teaching us. In a generation that the Torah itself describes as corrupt and filled with every type of transgression, it was specifically the transgression of theft that sealed their fate.

The Gemorah in Sanhedrin 108a elaborates on the nature of the generation's specific, insidious type of theft. The people of the generation would steal tiny amounts from each other, less than the value of a Perutah - the smallest unit of currency. Because the value was so small, this made it impossible to bring any single thief to justice as the Gemorah in Eiruvim 62a indicates that anything worth less than a Perutah cannot be subject to Halachic repayment.

This teaches us the nature of their corruption. It was not theft on a grand scale that destroyed their society. Rather, it was the small, seemingly insignificant incidents of dishonesty that each person could rationalize to himself or herself. The dishonesty and corruption was systemic, ubiquitous and not subject to legal recourse.

Hashem had Noach respond to this corruption by having him build in public, a Teivah (ark) for 120 years as a public act of protest and warning on what was to come. This extended timeframe teaches us about the importance of giving persistent Tochacha (reproof) in the face of widespread corruption even if the odds appear to be slim that the Tochacha will affect a change of behavior.

Finally, it is important to realize that the Midrash is not merely telling us a history lesson about ancient dishonesty and corruption – it is warning us today about how our society can decline. When we normalize small ethical violations, when we create systems where dishonesty becomes acceptable – even small levels of dishonesty, we recreate the conditions that the Midrash identifies as the final step that caused the destruction of the generation of the flood.

Mussar – Introspection

This week, we continue with translating the Chofetz Chaim's Sefer entitled, "Sefas Tamim." Sefas Tamim, from which our foundation takes its name, focuses on the importance of honesty in word and in deed. We now continue with our translation of Chapter 2, which discusses the great punishment that awaits those that are deceitful.

"The fruit and grains of the earth all rot only in response to

the way man behaves. Man will not come to be disgraced only because of his behavior. Man's eyes do not become weak at the half point of his life only because of the way he lives his life. This means that man will bring himself to these conditions in life only by virtue of the lies and crimes that he commits...

The Midrash Shocher Tov (Mizmor Zayin) illustrates this same idea by way of an incident and ensuing lesson, 'Two by two, they came to Noach.' Lies came to Noach and wanted to board the Teiva. Noach said to Lies, 'I cannot let you board the Teiva unless you bring a mate with you.' Losses, (meaning Losses and Damages), approached Lies and asked what his intent was. Lies said to Losses, 'Come and partner with me. Noach told me that I could not board the Teiva unless my mate accompanied me, and only then could I board it. If you want to, you can be my partner.' Losses answered, 'And what will you give me?' Lies answered him, 'We will go together into this, whatever gain I accumulate, you can take for yourself.' At that point, they both agreed to become partners, and everything earned by Lies would be taken away by Losses - and both of them boarded the Teiva together.

Once they disembarked from the Teiva, Lies began to accumulate objects of value. As quickly as Lies would accumulate articles, Losses would take them away. Lies confronted Losses and said, 'Where are all the articles I acquired?' Losses answered back, 'We made an agreement that whatever you gain, I would take away.' Lies could not answer that argument. Thus it is said (Tehillim 7:15): 'Scheming became pregnant and gave birth to Lies' – this is the end of the Midrash."

*"May I back out of a school carpool that
I have already committed to?"
"Should I report a co-worker who is acting dishonestly?"*

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