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Halacha – Jewish Law

QUESTION: I own a 2016 Toyota Camry. My mechanic told me that, in his opinion, the transmission will likely last another 18 months. I listed the car for sale but did not mention this to the buyer. The buyer had his own mechanic inspect the car, and that mechanic did not raise the same concern. The buyer has now offered me a good price. Am I required to disclose what my mechanic said?

ANSWER: In this case, you are not obligated to volunteer your mechanic's opinion. The relevant Halachic principle is Geneivas Da'as—the prohibition against deception. Withholding information is forbidden when a customer reasonably assumes that the seller is offering objective, disinterested guidance. But when the seller is plainly acting in his own interest, the buyer understands that reality. A private owner selling his own used car fits that category: the buyer knows the seller wants to sell and is not serving as his trusted adviser. He therefore cannot assume the seller will volunteer every possible future problem, such as a transmission that may fail in another 18 months.

According to Rashi, if you have not actively said anything false, it is permitted, because a person who reaches his own mistaken conclusion is considered to be "Mateh es Atzmo"—to have misled himself and should have known better. According to Tosfos, there is no obligation to correct a misunderstanding that the other person formed on his own. Here, you made no false statement, and your mechanic's prediction may or may not prove accurate. The buyer also performed his own due diligence by bringing his own mechanic and is relying on that assessment.

You may not, however, lie or make any misleading statement. If the buyer asks directly, "What did your mechanic say about the transmission?" or "Is there anything I should know about the transmission?" you may not deny the concern or claim that your mechanic gave it a clean bill of health. That would cross the

line from permitted silence into forbidden Sheker (falsehood). Since money is exchanged under false pretenses, it could also be considered theft since a lie that causes monetary loss is treated as stealing.

There may also be a separate secular law to consider. A known, current defect that is concealed, can create seller disclosure obligations under consumer or lemon law rules, depending on the state. A prediction that a transmission may last another 18 months is an opinion about the future rather than a clearly concealed current defect, but the legal question should be confirmed with a local attorney.

In summary, Halachically, you do not need to volunteer your mechanic's opinion, and remaining silent on the matter is permitted. However, if the buyer asks directly, you must answer truthfully.

Chizuk - Inspiration

R' Reuvain Grozovsky (1887–1958), Rosh Yeshivah of Beth Medrash Elyon in Monsey, once recounted the following episode from Lithuania.

Reb "Zev" was a man of means and mercy. In business he was firm and unsentimental, yet he had a generous heart, and those in need often turned to him for loans. One day, "Shimon," a man whose reputation was already clouded by unpaid debts, approached him for a sizable sum. R' Zev reasoned that because no one else would lend to him, R' Shimon would surely recognize the kindness and repay promptly. On that hope, he extended the loan.

He was wrong. R' Shimon did not repay the debt, and after years of silence, he denied ever having received the money. The matter came before a din Torah (Halachic court), where the judges ruled that R' Shimon could be exempt from repayment if he swore that no loan had ever been given. With startling

brazenness, he swore falsely. R' Zev could no longer contain himself. Before the judges he cried out: "I do not care about the money. But how can you swear falsely and trample one of the Ten Commandments? You are a disgrace!" For months afterward, whenever the story was mentioned, he insisted on the same point: the money meant nothing to him; what pained him was the desecration of an oath.

Years passed. Then, one Shabbos morning, R' Zev walked to the Bimah and startled the congregation. He announced that he wished to ask R' Shimon's forgiveness in public for the shame he had caused him years before. Since his words of rebuke of R' Shimon had been spoken publicly, his request for forgiveness, he said, must be public as well.

Afterward, people pressed him to explain what had awakened this remorse after so many years. R' Zev answered that while traveling on business that week, he had been forced to face a painful truth. His anger had not been the pure, disinterested outrage over a false oath that he had long imagined it to be. Beneath the mantle of righteous indignation lay a wounded concern for his own loss. Once he saw that his "zeal" in chastising R' Shimon had been entangled with self-interest, he understood that he had wronged R' Shimon by humiliating him and therefore owed him a public apology.

That is the force of the story: true integrity is not only the courage to expose another person's falsehood, but the rarer courage to uncover the comforting falsehoods we tell ourselves about the purity of our own motives.

On The Parsha

The Torah teaches that one who kills unintentionally and flees to a city of refuge must remain there "until the death of the Kohen Gadol" (35:25). Rashi gives two reasons why the Kohen Gadol's (High Priest's) death brings his release. First, the Kohen Gadol's service brings the Divine Presence to rest among Israel and lengthens life, while the killer's act drives away the Divine Presence and shortens life; the two therefore cannot properly coexist. Rashi's second explanation is more striking: the Kohen Gadol's death releases the killer because he should have prayed that no such tragedy occurs among Israel during his lifetime—and he failed to do so.

Consider what Rashi's second explanation implies. The killing was accidental. The man in the city of refuge acted inadvertently;

the Torah itself describes him as one who killed "without seeing" and "without malice." No reasonable observer would blame the Kohen Gadol, who was nowhere near the incident and had no connection to the killer or his victim. Yet Rashi teaches that he bears responsibility—not for something he did, but for a prayer he failed to offer.

The killer's release through the Kohen Gadol's death makes sense only if the Kohen Gadol had an unmet obligation. His death atones for that unmet obligation and releases the killer that he should have prayed for.

This suggests a remarkable insight: leadership is judged not only by wrongdoing committed, but also by good left undone—by what a leader should have recognized and acted upon.

Rashi's second explanation rejects the comfortable defense, "I had nothing to do with it." A spiritual leader is accountable not only for his actions, but also for outcomes his prayers might have prevented. The gap between "I did nothing wrong" and "I did everything I could" is precisely where the Kohen Gadol is found lacking. The fact that he did not pray is a real shortcoming, and his death, in some sense, atones for it.

When we are entrusted with leadership or authority, our responsibilities are far-reaching. According to this Rashi, the Kohen Gadol—and by extension, every leader—must hold himself to a higher standard: he must act honestly and faithfully, actively pursue the good within his power, and reckon with the good he left undone.

*"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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