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On The Parsha

Toward the conclusion of this week's Parsha (Vayikra 5:17-18), the Torah outlines a scenario in which an individual may have violated a significant prohibition—one that would result in Kares (spiritual excision) if committed knowingly—yet remains uncertain regarding the act. Specifically, the person does not know whether they consumed forbidden fat or permitted fat. In such cases, the Torah mandates the offering of an Asham Taluy, a suspensive guilt offering.

Rashi provides additional clarification about the situation: There were two pieces of fat—one allowed and one forbidden—in front of him. He ate one piece without realizing which one it was. Later, he learned that one of them was forbidden, but he still could not determine which piece he had eaten.

He may have done nothing wrong at all. Yet he brings an Asham Taluy.

Rashi clarifies that the Asham Taluy serves to protect an individual so long as their uncertainty persists. It does not serve as atonement for the transgression itself, as no definitive violation has been confirmed; rather, it addresses the state of uncertainty. The mere significant possibility of wrongdoing is, in itself, sufficient to create an obligation.

This provides an excellent framework that can be applied to aspects of our everyday life.

When we are uncertain about whether we committed a transgression, it is important to honestly evaluate the circumstances and avoid the natural urge to assume that we probably did not do anything wrong, and that there is no need to worry about an unresolved issue.

Rather, we should confront uncertainty directly and recognize it as a real question about whether we have committed a transgression. Many people skip this step and instead rationalize their actions. Their mind quickly shifts from "I am not sure" to "it was likely okay" to "I am certain it was fine," and then considers the issue resolved. This is not outright lying; rather, it is a subtle lack of sincere self-reflection—a tendency to let uncertain situations fade into comfortable certainty.

The offering of the Asham Taluy refuses to allow that to happen. It holds the uncertainty open and requires the person to respond to it as uncertainty, and not to resolve it prematurely.

Rashi adds another important detail. If the person later discovers that he definitely did sin, the Asham Taluy is no longer sufficient. He must now bring a full Chatas offering. This indicates that the Asham Taluy was never meant to settle the issue or bring closure. Instead, it served to acknowledge the matter as unresolved.

It rejects two types of misleading conclusions: one is acting as if the question has been settled when it remains open, and the other is regarding uncertain guilt as definite guilt, which is another kind of misrepresentation.

Everyone encounters moments when moral clarity may be elusive. You might wonder if you genuinely hurt someone or if you are simply overthinking things. It is natural to question whether your intentions were as pure as you believed, or if you dealt with a situation appropriately—or perhaps took shortcuts you should not have. Often, it is difficult to say for certain; the honest response is frequently, "I do not know."

This kind of discipline—the commitment not to let moral uncertainty fade into comfortable conclusions—is both less common and more challenging than it appears. At the same time, we should not let this important practice impact our ability to serve Hashem with joy (Ivdu Es Hashem B'Simcha). It is crucial that it does not become a source of anxiety or sadness. There are times when the Yetzer Harah (evil inclination) can lead us to discouraging thoughts about sin and to manufacture for us uncertainty when none exists.

Demonstrating honesty in the face of uncertainty, as exemplified by the offering of the Asham Taluy, while remaining attentive to the challenges presented by the Yetzer Harah, requires careful balance and presents meaningful opportunities to earn substantial amounts of Schar (reward).

Halacha – Jewish Law

QUESTION: I provide catering services for weddings at several venues. At one of these venues, they unexpectedly and unjustly added a \$500 security guard fee to events I had previously booked at a set price. Half-jokingly, I replied, "No, I am not paying for a security guard—if you want, I will bring my Glock and handle security myself," even though I do not actually own any firearms—not even a BB gun. After that, the manager dropped the fee. Was this an honest way to handle the situation?

ANSWER: Your question touches on several overlapping Halachic concerns: the prohibition of lying, the closely related prohibition of Geneivas Da'as (deceptive conduct), and a distinct but relevant dispensation that permits misrepresentation to prevent theft or financial harm. Let us address each in turn.

The Basic Prohibition of Lying

Regarding the verse in Parashas Mishpatim (Shemos 23:7) "Midvar Sheker Tirchak" — stay far away from a false matter — there is a three-way debate among the Rishonim (leading Halachic authorities who lived in the 11th through 15th centuries). Some hold that the verse is applicable only to judges adjudicating law. Others view it as sound guidance rather than binding Halacha. The third opinion, which is the ruling of the Chofetz Chaim in his Ahavas Chessed and which is generally considered normative Halacha, holds that the verse constitutes a broad Torah prohibition against lying that applies to everyone — even when no harm will result from the falsehood.

The Chofetz Chaim further cites the Sifre on the verse "VeHalachta BiDrachav" — and you shall walk in His ways (seventh chapter of Sefas Tamim) — that since Emes is one of the ways of Hashem, lying constitutes a negation of a positive commandment. This is called a Bitul Assei — the violation of an affirmative Mitzvah — and is a serious matter of which many people are entirely unaware.

The Prohibition of Geneivas Da'as

Beyond the prohibition of lying, there is the independent and even more stringent prohibition of Geneivas Da'as — deceiving another person through one's words or actions. The Gemorah in Chullin (94a) cites Shmuel as stating that this prohibition applies equally to Jews and non-Jews. According to the Sefer Yereim and the Ritvah, it is a Biblical prohibition; according to the Smak, it is Rabbinic. But according to all opinions, it is a full-blown, unequivocal prohibition.

The Dispensation to Lie in Order to Prevent Theft

However, there is a critically relevant dispensation here. It seems clear from the Shulchan Aruch (Yoreh Deah 133:3) and from incidents recorded in Sanhedrin (25b) and Yoma (83b) that one is permitted to lie — and even to misrepresent facts in a more active way — to prevent oneself from being robbed or financially harmed.

In Yoma (83b), Rabbi Meir, Rabbi Yehudah, and Rabbi Yossi stopped at an inn on Erev Shabbos. The innkeeper, a man named Kidor appeared to be untrustworthy, and Rabbi Meir did not give him his wallet. When the man denied ever receiving the wallets of the other two Rabbis, they deliberately misled him in a way that allowed them to retrieve their wallets. The Gemorah presents their conduct approvingly. Similarly, the Yaavetz derives from the Gemorah in Gittin (14a) that it is permitted to misrepresent something to another party when

the other party is making an unfair demand, as a person may take unilateral steps to correct an injustice (a principle known as Avid Inesh Dinei L'Atzmo).

The catering venue in your case appears to have imposed a retroactive charge on affairs that were already booked — a unilateral alteration of an existing agreement. There is a curse invoked (Mi Shepara) on someone who reneges on a commitment (see Choshen Mishpat (204:4)); the same principle, by extension, speaks to the impropriety of the venue's conduct in changing a previously understood commitment on price to your detriment.

You do not own a Glock. So the question becomes: was this false statement nonetheless permitted under the principle that one may lie to prevent theft?

The answer seems to be "Yes," but there is an important caveat you should know about, so read on.

The dispensation to lie in order to prevent theft, as derived from Yoreh Deah (133:3) and the Gemorah in Sanhedrin (25b) and Yoma (83b), would appear to apply here. You were facing an unjust retroactive financial imposition. Your misrepresentation was instrumental in removing that unfair charge. The Yaavetz's principle — that one may take unilateral steps to correct an injustice — supports the permissibility of your action. Also, there is the strong possibility that the manager knew that you were joking about owning a gun so this may not be considered a lie to begin with.

An important caveat according to Rav Nachum Yavrov ZT"l in his Niv Sfasayim (Vol. II, #5 and #6) is that the various dispensations to deviate from the truth are only available to someone who is generally committed to a life of truth — not someone for whom bending the truth is habitual. The leniency is reserved for a person who is scrupulously honest, and who is invoking the dispensation in an exceptional case. According to Rav Nachum then, the dispensation for you to lie to the venue manager, only applies if you are scrupulously honest in other manners. Having said that, it is possible that Rav Nachum would wave that requirement in your case where, as mentioned above, there is the strong possibility that the manager knew that you were joking about owning a gun and therefore this may not be considered a lie to begin with.

*"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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