

TO BE HUMAN IS TO LIE - CASE STUDIES

Case Study 1

Your patient is a seventy year old man who has been diagnosed with cancer. There are secondaries and you know he has months at the most to live. Although aware of the diagnosis, he has not asked about how long he has to live. His children feel that he should be told, partly because they are concerned that their mother needs to be informed about his financial affairs, which he has always taken charge of. However, the mother feels that he should not be told unless he asks, and even then the truth should be told in the best possible terms. Would you:

a) tell him the prognosis even if he doesn't ask

OR

b) wait till he asks and then tell him the whole truth

OR

c) wait till he asks and then soften the answer by giving an unlikely but possible prognosis

OR

d) (find another course of action)

Case Study 2

You recently stayed at someone's house for free as a favour. A third party asks you whether you were able to stay there for free. How should you respond?

Case Study 3

You are Corrie ten Boom, a member of a devout Christian family in Haarlem, Holland. Your family has taken in Jews who are desperate to avoid capture by the Nazis. Since 1940, your family has helped many Jews and also many members of the Dutch resistance who have knocked on the door and requested help.

It is 1942 and four Jews and two members of the underground are in the hiding place within the ten Boom house. There is a knock on the door, only this is the knock that all of your family have been dreading. It is the SS demanding to know if there are Jews hiding in the house. Should you, as Corrie, tell the truth, or not?

Case Study 4

You are at home when a neighbour knocks on the door and asks to speak to your wife, who is inside and washing her hair. What do you say to your neighbour?

LYING IN THE BOOK OF GENESIS - Some Examples

Genesis 2:17

But from the tree of knowledge of good and evil, you may not eat; for on the day that you eat from it, you shall surely die.

וּמֵעֵץ הַדַּעַת טוֹב וְרָע לֹא תֹאכַל מִמֶּנּוּ
כִּי בַיּוֹם אֲכָלְךָ מִמֶּנּוּ מוֹת תָּמוּת:

Genesis 4:9

Then the Eternal One said to Cain, "Where is your brother Abel?" He replied, "How should I know; am I my brother's keeper?"

וַיֹּאמֶר יְהוָה אֶל-קַיִן אֵי הֶבֶל אָחִיךָ
וַיֹּאמֶר לֹא יָדַעְתִּי הֲשֹׁמֵר אָחִי אָנֹכִי:

Genesis 12:13 (repeated in 20:2 and by Isaac in 26:7)

Please say then that you are my sister, so that on your account it may go well for me, and that my life may be spared because of you.

אָמַרְיָנָא אָחֹתִי אַתְּ לְמַעַן יִיטֵב-לִי
בְּעַבְרָךְ וְחַיְתָּה נַפְשִׁי בְּגִלְלָךְ:

Genesis 18:12 - 13

So Sarah laughed inwardly, thinking, "Now that I am withered, will I have pleasure, with my lord so old!"

וַתִּצְחַק שָׂרָה בְּקִרְבָּהּ לֵאמֹר אַחֲרַי
בְּלִתִּי הִיתָה-לִּי עֹדֵנָה וְאֵדְנִי זָקֵן:

But the Eternal One said to Abraham, "Why is Sarah laughing so, thinking: 'Am I really going to bear a child, when I have grown so old?'"

יְג וַיֹּאמֶר יְהוָה אֶל-אַבְרָהָם לְמָה זֶה
צִחְקָה שָׂרָה לֵאמֹר הֲאֵף אֲמַנָּם אֵלֶּד
וְאַנִּי זָקֵנָתִי:

Genesis 27:22 (and surrounding verses)

Jacob approached his father Isaac, who felt him and said, "The voice is the voice of Jacob, but the hands are the hands of Esau!"

וַיִּגַּשׁ יַעֲקֹב אֶל-יִצְחָק אָבִיו וַיִּמְשְׁהוּ
וַיֹּאמֶר הַקֹּל קוֹל יַעֲקֹב וְהַיָּדַיִם יְדֵי עֵשָׂו:

Genesis 29:25 (and surrounding verses)

In the morning, look - it was Leah!; so (Jacob) said to Laban, "What have you done to me? Wasn't it for Rachel that I agreed to serve you? Why did you deceive me?"

וַיְהִי בַבֹּקֶר וְהִנֵּה הוּא לֵאָה וַיֹּאמֶר
אֶל-לָבָן מִה-זֹּאת עָשִׂיתָ לִּי הֲלֹא בְרַחֵל
עָבַדְתִּי עִמָּךְ וְלָמָּה רָמִיתָנִי:

Genesis 37:32 (and surrounding verses)

They carried the coat of many colours and brought it to their father. They said, "We found this; do you recognise it? Is it your son's coat?"

וַיִּשְׁלְחוּ אֶת-כֹּתֶנֶת הַפָּסִים וַיָּבִיאוּ
אֶל-אָבִיהֶם וַיֹּאמְרוּ זֹאת מָצָאנוּ הַכֹּהֵן-נָא
הַכֹּתֶנֶת בְּנֶדֶךְ הוּא אִם-לֹא:

Genesis 44:2 (and surrounding verses, deception)

Put my goblet - the silver goblet - in the mouth of the youngest one's bag along with the silver for his grain." He did just as Joseph instructed.

וְאֶת-גְּבִיעֵי גְבִיעַ הַכֶּסֶף תְּשִׂים בְּפִי
אִמְתַּחַת הַקֶּטָן וְאֵת כֶּסֶף שִׁבְרוֹ וַיַּעַשׂ
כַּדְבַר יוֹסֵף אֲשֶׁר דִּבֶּר:

Genesis 50: 15 - 17

Joseph's brothers, seeing that their father had died, said, "What if Joseph bears a grudge against us? He will surely repay us for all the evil we have done to him."

טו וַיֵּרְאוּ אֶחָיו-יוֹסֵף כִּי-מֵת אָבִיהֶם
וַיֹּאמְרוּ לוֹ יִשְׁטַמְנוּ יוֹסֵף וְהָשִׁב יָשִׁיב לָנוּ
אֵת כָּל-הָרָעָה אֲשֶׁר גָּמְלָנוּ אֹתוֹ:

So they instructed Joseph, saying, "Your father commanded before he died, saying,

טז וַיִּצְווּ אֶל-יוֹסֵף לֵאמֹר אָבִיךָ צִוָּה לִפְנֵי
מוֹתוֹ לֵאמֹר:

'Thus you shall say to Joseph: Please, I beg you, forgive now the transgression of your brothers, and their sin, for they did evil to you. Now, please forgive the transgression of the servants of your father's God.' Joseph wept as they spoke to him.

יז כֹּה-תֹאמְרוּ לְיוֹסֵף אָנָּה שָׂא נָא פָּשַׁע
אֲחִיךָ וְחַטָּאתָם כִּי-רָעָה גָּמְלוּךָ וְעָתָּה
שָׂא נָא לְפָשַׁע עֲבָדֵי אֱלֹהֵי אָבִיךָ וַיִּבְדַּךְ
יוֹסֵף בַּדְּבָרָם אֱלֹוֹ:

v.15 All these are rarely used in biblical Hebrew, but seem connected: Verb שטמ = bear a grudge, cherish animosity; Verb שטה = turn aside (to do wrong, be seduced); שטן = adversary, Satan

v.16 note double use of verb צנה, following on from word we use in gemilut chasadim, but used in negative terms

Commentary - the concept of lying for the sake of Sh'lom Bayit

R. Ile'a further stated in the name of R. Eleazar son of R. Simeon: As one is commanded to say that which will be obeyed, so is one commanded not to say that which will not be obeyed (Lev. 19:17 הוֹכַחְתָּ תוֹכִיחַ אֶת-עַמִּיתֶךָ - the repeated verb is interpreted by Rashi here as meaning: 'rebuke only where rebuke will be effective'). R. Abba stated: It is a duty; for it is said in Scripture, Reprove not a scorner, lest he hate thee; reprove a wise man and he will love thee (Proverbs 9:8).

R. Ile'a further stated in the name of R. Eleazar son of R. Simeon: One may modify a statement in the interests of peace; for it is said in Scripture, Thy father did command etc. so shall ye say unto Joseph: Forgive, I pray thee now, etc. (Gen. 50:17) **R.**

Nathan said: It is a commandment, for it is stated in Scripture, And Samuel said: 'How can I go (to anoint a son of Jesse as king)? If Saul hear it, he will kill me', etc. (1 Sam. 16:2 - 3, in response, God tells Samuel to say to Saul that he has come to offer up a sacrifice, not to anoint David)

At the School of R. Ishmael it was taught: Great is the cause of peace. Seeing that for its sake even the Holy One, blessed be He, modified a statement; for at first it is written, My lord being old, while afterwards it is written, And I am old. (Gen. 18:12 - 13)

(Talmud, Yevamot 65b - Emphases and bracketed notes are mine)

Other justifications in Jewish law for lying

- Complimenting a bride in front of her groom (Ketubot 17a). This is debated between Beit Hillel and Beit Shammai.
- Not publicising someone's free hospitality from which you benefitted (Arachin 16a).
- Being modest about one's own fluency in reading and interpreting Torah / Talmud (Bava Metzia 23b).
- If 'marital intimacy' has made you late for an appointment, one can give a different reason (Orchot Tzadikim).
- Where life is in danger (e.g. Abraham [twice!] and Isaac using the 'sister' title for their wives - Gen. 12:13, 20:2, 26:7).

KUSHTA

Raba said: I used to think at first that there is no truth in the world. Whereupon one of the Rabbis, by name of R. Tabuth — others say, by name of R. Tabyomi — who, even if he were given all the treasures of the world, would not lie, told me that he once came to a place called Kushta, in which no one ever told lies, and where no man ever died before his time. Now, he married one of their women, by whom he had two sons. One day his wife was sitting and washing her hair, when a neighbour came and knocked at the door. Thinking to himself that it would not be etiquette [to tell her that his wife was washing herself], he called out, 'She is not here.' [As a punishment for this] his two sons died. Then people of that town came to him and questioned him, 'What is the cause of this?' So he related to them what had happened. 'We pray thee,' they answered, 'quit this town, and do not incite Death against us.'

(Sanhedrin 97a)

Presidential and all officers in USA

"I, _____, having been appointed an officer in the Army of the United States, as indicated above in the grade of _____ do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic, that I will bear true faith and allegiance to the same; **that I take this obligation freely, without any mental reservation or purpose of evasion**; and that I will well and faithfully discharge the duties of the office upon which I am about to enter; So help me God."

Judge Alex Kozinski – Federal Court Judge, Judgement, March 2011

(Since discredited by allegations of sexual misconduct, which led to his resignation in December 2017. Most recently – November 2022 – he has added his weight to Donald Trump's legal team concerning the 6th January 2021 insurrection! However, this is a helpful summary of why the ability to not be totally truthful always is important.)

Saints may always tell the truth, but for mortals living means lying. We lie to protect our privacy ("No, I don't live around here"); to avoid hurt feelings ("Friday is my study night"); to make others feel better ("Gee you've gotten skinny"); to avoid recriminations ("I only lost \$10 at poker"); to prevent grief ("The doc says you're getting better"); to maintain domestic tranquility ("She's just a friend"); to avoid social stigma ("I just haven't met the right woman"); for career advancement ("I'm sooo lucky to have a smart boss like you"); to avoid being lonely ("I love opera"); to eliminate a rival ("He has a boyfriend"); to achieve an objective ("But I love you so much"); to defeat an objective ("I'm allergic to latex"); to make an exit ("It's not you, it's me"); to delay the inevitable ("The check is in the mail"); to communicate displeasure ("There's nothing wrong"); to get someone off your back ("I'll call you

about lunch”); to escape a nudnik (“My mother’s on the other line”); to namedrop (“We go way back”); to set up a surprise party (“I need help moving the piano”); to buy time (“I’m on my way”); to keep up appearances (“We’re not talking divorce”); to avoid taking out the trash (“My back hurts”); to duck an obligation (“I’ve got a headache”); to maintain a public image (“I go to church every Sunday”); to make a point (“Ich bin ein Berliner”); to save face (“I had too much to drink”); to humor (“Correct as usual, King Friday”); to avoid embarrassment (“That wasn’t me”); to curry favor (“I’ve read all your books”); to get a clerkship (“You’re the greatest living jurist”); to save a dollar (“I gave at the office”); or to maintain innocence (“There are eight tiny reindeer on the rooftop”).

And we don’t just talk the talk, we walk the walk, as reflected by the popularity of plastic surgery, elevator shoes, wood veneer paneling, cubic zirconia, toupees, artificial turf and cross-dressing. Last year, Americans spent \$40 billion on cosmetics—an industry devoted almost entirely to helping people deceive each other about their appearance. It doesn’t matter whether we think that such lies are despicable or cause more harm than good. An important aspect of personal autonomy is the right to shape one’s public and private persona by choosing when to tell the truth about oneself, when to conceal and when to deceive. Of course, lies are often disbelieved or discovered, and that too is part of the pull and tug of social intercourse. But it’s critical to leave such interactions in private hands, so that we can make choices about who we are. How can you develop a reputation as a straight shooter if lying is not an option?