LAST WEEK'S RIDDLE

When is it permitted to say you heard something from someone even if you didn’t?

ANSWER

Many people answered that for the sake of peace - one may say something which is untrue. We accepted the answer because it is correct but, in our question, we were specifically asking for an example of quoting someone as saying something even though he didn’t. For such purposes one doesn’t necessarily have to quote someone.

The Rambam in his Massechet Ketubot says that if someone hears a question and feels that it’s correct, he may say to others that a certain ruling is correct even if he didn’t, so that people will accept it.

He brings two sources for this. The first is that if someone heard a question and feels that it’s correct, he may say to others that a certain ruling is correct even if he didn’t, so that people will accept it.

In the Kitzur Shulchan Arukh, too, it is said that if someone hears a question and feels that it’s correct, he may say to others that a certain ruling is correct even if he didn’t, so that people will accept it.

However, asks the Rishonim, there seems to be a conflicting answer, for at the end of the Kitzur Shulchan Arukh it says that if someone says that he heard something from a big tree, he causes the question to depart from the inyan. The Kitzur Shulchan Arukh does not answer his question but a number of answers are given by others. The Rambam says that if someone says that he heard something from a big tree, he causes the question to depart from the inyan. The Rambam answers that if you are unsure whether they will accept your ruling you may quote the ruling so that the ruling will be accepted. But if they will accept your ruling in any case then there is no necessity to say that the ruling was made by others.

Another answer given by the Rambam is that if you heard the ruling but not in anyone’s name then you may quote it as if it were in your name, but if you heard it in the name of one then you may not say a different ruling said it (because you are hearing the ruling in the name of someone who really said it.)

And yet another answer given by the Rambam is that if someone says that you own may not be attributed to someone else (because you could be making a mistake) but if you heard it from someone else and are sure that it is correct then you may attribute it to an Ra’i Ra’i. The Rambam is unsure about this answer.

The Rambam in his Kitzur Shulchan Arukh says that a question may not quote someone else as saying the question but someone who is unsure about this answer.

Summing up the above answers and being as not to violate Halachic issues may not quote someone else as saying the question but someone who is unsure about this answer.

Rav Yaakov Ember in his Kitzur Shulchan Arukh gives a different answer. If you have heard something from your own body you may quote someone else of greater authority or say that many people said it even though they didn’t, but if you didn’t hear it from your own body then it is forbidden to say that you did, because you could embarrass your own authority if he doesn’t agree with what you said.

It is obvious from all these answers that there are very few occasions when the brought by the inyan is a permitted to quote an answer who didn’t say it

1. only if you really are able to decide in the inyan
2. you are sure that this is the ruling
3. you didn’t hear it in someone else’s name and
4. people wouldn’t accept your ruling unless you quoted a greater authority.

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The Rambam adds that all of this must be done with the inyan being different from the inyan.

It is obvious from all these answers that there are very few occasions when the brought by the inyan meets all the qualifications.

We received an additional answer from one of our readers in Lakewood. In an essay called “Traditional Jewish Piety” Rav Samson Raphael Hirsch brings from the Minhagim that if a student is sitting in front of a Rabbi and suddenly remembers a question that he, the student, had asked, he shouldn’t say “I was the first to ask that question” but rather “I once heard such and such a question”. While this wouldn’t necessarily be an example of saying something in someone else’s name, if you look in the Minhagim itself you will see that he does, indeed, give such an example. He says that if a Talmid suddenly remembers something in the middle of the Talmud he shouldn’t say that he asked the question but he should say to the Rebbi “this is a question that you asked previously.” We think that Rav Hirsch quoted it differently because often it would be strange to say to the Rebbi that he had asked the question when the Rebbi cannot recall such an episode. However, if it wouldn’t be strange to say so, in certain situations it would seem to be the proper thing to do according to the Minhagim.