

GENEIVAS DAAS PART 8

by Rabbi Yehonasan Gefen

This week we continue discussion of cases where there is no prohibition of geneivas daas. We said last week that if a person deceives himself, there is no prohibition of geneivas daas. Rashi explains this law by saying that if one doesn't say or do anything that suggests that he did something for his fellow, rather he acts normally, and his fellow imagines that he did it for him, there is no prohibition of geneivat daat. In fact, we see from the Gemara, that he should not tell him the truth because it will only cause him pain.

There was a story in which a person made a Brit Mila on Purim, and called his son Mordechai. After a short amount of time, the person received a check from an uncle who thought that the man had named the boy after the uncle's brother, who had died childless. As a sign of his gratitude, the uncle gave a check to the man. This is another example of a person deceiving himself. (However, there is a question as to whether the man can keep the money because the uncle gave it to him because he incorrectly thought that the man had named the baby after his brother). Rabbi Moshe Feinstein ruled that the father did not have to tell the relative that he did not name the child after his brother, since the relative is deceiving himself. However, as mentioned, the issue of actually keeping the money he sent is less straightforward and in such a situation, one should ask an Orthodox Rabbi for guidance.

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