

Is it Permitted to Say Lashon Hara L'Toeles if One is Not 100% Sure The Information is Correct?

Question: Is it permitted to share negative information *l'toeles* if one is not completely sure that the information is true? For example, Shimon and Levi are coworkers who don't get along and I personally believe that the discord is Shimon's fault, although I don't know that for a fact. If the boss is considering giving Shimon a promotion and asks for my input, am I allowed to tell him that I think he is to blame for the strife with Levi?

Answer: One of the seven conditions the Chofetz Chaim says have to be met before someone speaks *Lashon Hara* for a *toeles* is that one has to know that the information is true; however, he makes some exceptions to this rule.

First of all, he says that it is only forbidden to say such *Lashon Hara* if it will have a negative impact on the one being spoken about. If it won't hurt him at all, it is permitted to give over the information, provided he tells the listener that he is not certain that what he is saying is true.

To apply this to the case in question, if Shimon will get the promotion anyway, and your information will only help the employer to know how to better relate to him, it would be permitted to relate the information as long as you say that you aren't certain that it is true.

If the information will cause real harm to the one being spoken about, it is forbidden to say it if you aren't sure that it is true. This would mean that if Shimon would receive a pay cut because of what you said, you would not be able to relate the information if you don't know for certain that it is true.

There also is a middle area - where the one being spoken about will not lose anything he already has but he will lose a potential opportunity. This case falls into that category. Your words won't cause him to lose the job he has but may cause him to lose the opportunity to gain a promotion. The Chofetz Chaim says that he is uncertain about the halacha in such a case.

Some contemporary Poskim say that the Chofetz Chaim's intent was that he is uncertain about the halacha in a case where the one being spoken about is seeking a job and will be unable to find any employment because of the information you said about him. If he will have other opportunities, however, they opine that the Chofetz Chaim would say that it is permitted to relate the information, provided you stipulate that you aren't sure it is true.