

Text to Read:

**Slide 1 & 2: Outline**

Netiquette and Halakhah relates to (1) **Chofetz Chaim's Hilchot Esurei Lashon Hara**; (2) The Prohibition slander, of motzi shem ra, (3) and causing emotional stress with words, **ona'at devarim**, (4) **Lo telech rachil b'ameicha** [TAILBeARING](5) causing **halbanat panim** [embarrassment] which is like murder, **k'sh'fikhat damim**; and striving for, (a) purity of speech, **Loshon naki**, (b) **Derekh erez kadma la'torah**, (c) sanctifying Hashem's name, **kiddush Hashem**, (d) respecting all of G-d's creatures, **k'vod habriyot** [respecting all **BiTzelem Elokim**].

**Slide 3: Thesis**

The thesis of this paper is that the time age old antidote and corrective to the problems of incivility and cyber bullying on the internet can be remedied by recognizing how to curtail speaking loshon ha-ra and motzi shem rah as laid out in the **Chofetz Chaim's Hilchot Esurei Rechilus**; and seeking **musar** guidance in torah principles that guide derekh erez and menschlikeit. The Internet should be used in manners consistent with our torah lives, values, and principles.

**Slide 4**

Never before has it been more critical to understand **Kiddushin 30b** "I have created a yetzer ha-ra and I have created Torah as its anti-dote . Our **mesorah** offers guidance and definitions about proper perspectives that guide how we approach and use technologies and how to set limits. Our masorah teaches that Hashem spoke to Moshe **panim el panim**. Chavruta learning is part of the yeshiva experience to convey a living masora and although this "may" sometime occur online there is no substitute for "**oseh likhah rav**. Responsible Jews need to be guided by torah ethical principles about how they behave online. A bar ilan search reveals that there are about 200 teachings from our sages about **derech erez** in the Talmud and midrashim, as well as two tractates on derech erez zuta and many more teachings from the post-Talmudic authorities. We must apply these teachings to our behaviors online. That means perhaps setting aside quality family time without being plugged in to technology. Hillel used to say, that "**ani po, ha-kol po**" whereby real time presence infuses **das Zwischen menschlich**. Time wastage (**bitul zeman**) can occur more easily online as one gets lost in hyperspace and whereby one finds a plethora of images Jeopardizing modesty (**tzinut**). Pirke Avot 2:1 sates **Hevei mechaseiv hefseid mitzvah keneged secharah** (Pirke Avot 2:1) when determining merit of any act must calculate the gains versus the losses in an honest assessment. Do the losses outweigh the benefits: **yatza secharo b'hefseido** . Since the internet has much potential for good we must reach and educate "digital natives" and little "tech ninjas" "where they are at" (**ba'asher hu sham**). "teach a child according to his way" **חֲנֹךְ לְיָנֵעַר, עַל-פִּי דַרְכּוֹ** . Must embrace iGeneration rather than push them away. Must understand the technology and social media to better understand the tech culture of younger generation Teach how to be tech responsible versus just tech-proficient by modeling proper use. If engage students on cyber-turf must guide them away from "put downs" and "snap judgments"

**Slide 5: Kosher and Treif Sites on Internet: Esau like swine metaphor**

Slide 6: Social media Help hearing challenged and those with speech impediments

Slide 7: Arguments for Responsible Use of Internet

Slide 8: Definition of Cyberbullying

*Bullying has been around for generations but new technologies make it easier to permeate cyberspace by the ease of instantaneous mass communication facilitated by social media etc. Anyone with a computer or smart phone on a social network can spread bullying at the click of a mouse.*

*Cyberbullying refers to the use of email, cell phone, pager text messages, instant messaging, defamatory websites... to support deliberate, repeated, and hostile behaviors by an individual or group, that is intended to harm or harass others*

Slide 9: Empirically measuring Elements of incivility that can characterize or lead to bullying

The torah principles are counter to incivility on the internet such as:

- (1) insulting, abusive language, baiting, hating
- (2) name calling. Flaming, lurking, aggression, voyeurism
- (3) verbal fighting/sparring/ incitement/stalking/trolling/ grooming” to lull others into delinquent behaviors
- (4) character assassination (**ad hominem** attacks)
- (5) conflagration, intimidation, hateful vehemence
- (6) belittling, defamation, libel
- (7) obscene language directed against victims
- (8) inappropriate tone
- (9) attacking - reverence for Torah leaders and lomdus, kavod ha-torah . (Mishlai 3:17) teaches עַץ-חַיִּים הֵיאָ, לַמַּחֲזִיקִים בָּהּ; וְתִמְכֶינָהּ מֵאִשָּׁר
- (10) verbal harassment, recurring nastiness, personal malice, or threats
- (10) venting and bloviating and cyber bullying

Slide 10: represents the high frequency of bullying amongst adolescents

Slide 11: notes the average quarterly revenue per user of companies such as FB, twitter, google in 2012

Slide 12: Troll

“trolls” hide behind anonymity. A troll is a person who sows and incites discord on the Internet by starting arguments or upsetting people, by posting inflammatory, extraneous, or off-topic messages in an online community (such as a forum, chat room, or blog) with the deliberate intent of provoking readers into an emotional response or of otherwise disrupting normal on-topic discussion.

Slide 13:

represents an objectively empirical method to try to measure the relationship between civility and the internet taken from a book by Robert Eisenger.

Slide 14: Bullies use spam

shows how Bullies may harass by sending unsolicited unwelcome emails i.e. repeated spamming

Slide 15: List Anti-Bullying measures

lists some Anti-bullying measures that can ensure students’ rights to safe physical and psychological environment

[What are root causes of bullying? Children reflect the values and behavior they see in their homes, on television, in video games, and in the behaviors of famous personalities and world leaders. Social learning is a power process often involving mimesis and modeling of behaviors. When children see role models- parents etc. use bullying and intimidation tactics they use these approaches to getting their own needs met and solving problems.]

Slide 16: lists some possible Solutions for Cyber safety: not **chumrot** but precautions

Slide 17: not send email when angry

illustrates that we should Teach children that if they would not say something to someone in public they shouldn’t write it online. Never send an email when one may be angry

Slide 18: Torah precepts should guide internet behaviors as corrective to mean speak of bullying

The following are some Torah principles that should guide our internet behaviors:

(1) Rabbi Yisroel Salanter principle: “Not everything one thinks should be said. Not everything one says should be written. Not everything written down should be published.”; Anonymity and instantaneousness of internet often allows things that would never be said or written go public so that there is a blurring of propriety and **mentchkeit**.

(2) Chazal tell us “**Al ta’amin b’atzmecha ad yom moscha**” Don’t be certain about yourself until the day of departure from this world.

Slide 19: More torah principles guiding internet safety

(3) practice privacy by using discretion & understanding halakhic difference between reshut harabbim, reshut ha-yahid, & reshut carmalit

(4) Be responsible and always conscious “know that there is a seeing eye, a hearing ear, and all your deeds written in Hashem’s book” i.e. Hashem knows everything we think, do, and write (Pirke Avot).

**והסתכל בשלשה דברים ואי אתה בא לידי עבירה דע מה למעלה ממך עין רואה ואוזן שומעת וכל מעשיך בספר נכתבין**

(5) Transparency: don’t use deceptive identities online and pose as someone you are not. Disclose biases, **midvar sheker tirschak and vihyitem neki’im**.

(6) Be careful of confidentiality. Torah forbids revealing secrets (**megaleh sod**). Torah forbids defaming people by revealing confidential information

(7) Do not defame or provoke defamation (**avak lashon ha-ra**). Avoid potentially explosive topics. One is not permitted to enable other people to defame (**lifnei iveir and mesayei yedei ovrei aveira**).

Slide 20: More Torah Principles guiding internet behaviors

(8) Ban bullying- Torah forbids causing emotional distress to others (**ona’at devarim**). This prohibits insulting, bullying, or causing another embarrassment.

(9) Bitul torah may neglect time away from learning torah or family tie of parental duties and spousal duties detracting from **shalom bayit and chinuch**.

(10) You may not damage the Jewish community by spreading misunderstandings or incorrect teachings (**ziyuf haTorah and chillul Hashem**). Strive to create a positive image of Judaism (**kiddush Hashem**) to outsiders who may misconstrue trends of thought and practice out of context or with little or no background

(11) Practice modesty/**Tzeniut** i.e. don’t post or look at pictures of people inappropriately dressed; follow standards in your community for online inter-gender communication

(12) ask a Rav for guidance about matters, **oseh likhah rav**

Slide 21: Derek Eretz

(13) Pirke Avot 3:2 teaches in the name of Rabbi Elazar ben Azariah would say: If there is no Torah, there is no common decency; if there is no common decency, there is no Torah [**im ain derech erez ain Torah**] רבי אלעזר בן עזריה אומר אם אין תורה אין דרך ארץ אם אין דרך ארץ אין תורה אם אין חכמה אין יראה אם אין יראה אין חכמה אם אין בינה אין דעת אם אין דעת אין בינה

(14) Vayikra Rabba 9:3 teaches **derech erez kadma la’Torah**

## Slides 22-23 Derekh Eretz

We learn derekh erez from the phrase **VaYelech Moshe** (and Moshe went" - Deuteronomy 31:1). Just before Moshe was about to die, he "went" to speak final words to the Jewish people. Ramban, in his, points out that the word "went" is extraneous, and therefore provides an extra lesson. If Moshe were only saying "goodbye," the Torah did not have to add the word "went." What Moshe did was to go around to all of families to say goodbye to each and every person. When you are taking leave of someone, show derekh erez and appreciation. You say "goodbye" like a **mentch**.

## Slide 24-26 : LOSHON NAKI

### Slide 24

A person with **Derekh erez** employs **loshon naki** or proper speech which reflects their great soul. Loshon naki is not just "the power of nice" or politeness or employing phrases such as: "please," thank you," "you're welcome," "good morning," "excuse me," and "I'm sorry" , but involves avoiding lascivious and vulgar speech etc. and being consciousness of the power of speech. In Pesachim 3a we learn in the name of Rabbi Joshua ben Levi said "a person should never let an unseemly word issue from his mouth

**לעולם יספר אדם בלשון נקיה** (Pesachim 3a). To purify speech the Hasidim sometimes take on a **ta'anais dibur**.

Further Pesachim 3b learns out Two disciples sat before Rav. One said, "You made the subject as savory for us as a stuffed pig." The other said, "your analysis has made me as tired as a kid out of breath." Rav would not speak to the first disciple after that

הנהו תרי תלמידי דהוו יתבי קמיה דרב, חד אמר: שויתין האי שמעתא כדבר אחר מסנקן, וחד אמר: שויתין האי שמעתא כגדי מסנקן. ולא אשתעי רב בהדי דהאיך

### Slide 25: Loshon naki cont.

Isa.9:16 is cited in B. Shabbat 33a In punishment for obscene speech troubles multiply... for every mouth speaketh obscenity **וְכָל-פֶּה דִּבֶּר נְבֻלָה**

**על-כן על-בחוריו לא-ישמח אדני, ואת-יתמיו ואת-אלמנותיו לא ירחם--כי כלו חנף ומרע, וְכָל-פֶּה דִּבֶּר נְבֻלָה; בְּכָל-זֹאת לא-שב אפו, ועוד ידו נטויה**

### Slide 26:

In **Derekh erez zuta** 3 we learn R. Eliezer ben Yakov said: "When a handsome and distinguished man allows an unseemly word to issue from his mouth, what is he like? A large dining hall with a taner's ill smelling drain pipe running through its middle

In B. Kettubot 5a-b we learn The sages taught in the school of R. Ishmael: Why is the entire ear hard and the lobe soft? In order that when a man is about to hear something unseemly he can plug his ear with the lobe . further Our masters taught. A man should not allow his ears to listen to unseemly chitchat, because being delicate they are of all parts of the body, the first to catch fire

## LOSHON HA-RAH

### Slide 27

The Chafetz Chaim lists 31 mitzvot which may be violated when a person speaks or listens to Lashon Hara. Of the 43 sins enumerated in the **Al Cheit** confession recited on Yom Kippur, 11 are sins committed through speech. Halachot discussed in the Chafetz Chaim are more specific, basically revolving around:

- (1) "**Lo telech rachil b'ameicha**," [Thou shalt not go up and down as a tale-bearer among thy people ] (Lev. 19:16) **לֹא-תֵלֵךְ רַכִּיל בְּעַמֶּיךָ, לֹא תַעֲמֹד עַל-דַּם רֵעֶךָ: אֲנִי, יְהוָה** ]

Rashi notes The Hebrew word for tale-bearer is "rakhil", which is related to a word meaning merchant. The idea is that a tale-bearer is like a merchant, but he deals in information instead of goods. In our modern "Information Age," the idea of information as a product has become more clear than ever before, yet it is present even here in the Torah.

### Slide 28

- (2) **ye shall not wrong one another** (Lev. 25:17, which according to tradition refers to wronging a person with speech). **וְלֹא תוֹנוּ אִישׁ אֶת-עַמִּיתוֹ, וְיִרְאתָ מֵאֱלֹהֶיךָ: כִּי אֲנִי יְהוָה, אֱלֹהֵיכֶם**

Leviticus 25:17 has traditionally been interpreted as wronging a person with speech. It includes any statement that will embarrass, insult or deceive a person, or cause a person emotional pain or distress.

### Slide 29:

Some commonly-used examples of behavior that is forbidden in avoiding ***ona'at devarim***:

- (a) You may not call a person by a derogatory nickname, or by any other embarrassing name, even if he is used to it.
- (b) You may not ask an uneducated person for an opinion on a scholarly matter (that would draw attention to his lack of knowledge or education).
- (c) You may not ask a merchant how much he would sell something for if you have no intention of buying.

(d) You may not refer someone to another person for assistance when you know the other person cannot help (in other words, it's a violation of Jewish law to give someone the run-around!).

(e) You may not deceive a person, even if no harm is done by the deception; for example, you may not sell non-kosher meat to a non-Jew telling him that it is kosher, even though no harm is done to the non-Jew by this deception.

(f) You may not sell a person damaged goods without identifying the damage, even if the price you give is fair for the goods in their damaged condition.

(g) You may not offer a person a gift or invite a person to dinner if you know that the person will not accept.

(h) You may not compliment a person if you do not mean it.

### **Slide 30: Loshon Ha-ra repeated in previous 3 parshayot**

There are many instances of loshon ha-ra in the Tanakh. The warning against the speaking loshon ha-rah is illustrated in the recent repetition of the previous three parshyot: behaalothecha, shelach lecha, & Korach as Miriam, the maraglyim, and Korach did. According to Rashi the meraglayim did not learn from Miriam's loshon ha-ra of denying the uniqueness of Moshe's **nevua** from other **neviem** [**lo kam bi-yisrael ki-Moshe oed navi umabeet et temunato**], when they spoke **loshon ha-ra against erez yisrael** not by denying that it is a land flowing with milk and honey (**eret zavath halav ve-devash**) **but rather for saying, "הָאָרֶץ אֲשֶׁר עִבְרָנוּ בָּהּ לְתוֹר אֲתָהּ, אֶרֶץ אֲכָלֶת יוֹשְׁבֵיהָ הִוא**. We are further warned in speaking loshon ha-rah in Num. 17:5 - "You shall not act similar to Korach and his company" who sustained a dispute. **לֹא-יְהִי־כִקְרַח וְכַעֲדָתוֹ**, not **lishem shamayim** and cast aspersions upon Moshe and Aaron's **authority by disrespectfully saying רַב-לְכֶם--כִּי כָל-הָעֵדָה כָּלָם קִדְּשִׁים**

### **Slide 31**

A further instance of loshon ha-rah in the tanakh is: The story of Do'eig the Edomite (I Samuel Chs. 21-22) is often used to illustrate the harm that can be done by tale-bearing. Do'eig saw Achimelekh the Kohein give David bread and a sword, a completely innocent act intended to aid a leading member of Saul's court. Do'eig reported this to Saul. Do'eig's story was completely true, not negative, not secret, and Achimelekh would have told Saul exactly the same thing if asked (in fact, he did so later). Yet Saul misinterpreted this tale as proof that Achimelekh was supporting David in a rebellion, and proceeded to slaughter all but one of the kohanim at Nob

### Slide 32

Arachin 15 b notes The person who listens to gossip is even worse than the person who tells it, because no harm could be done by gossip if no one listened to it. It has been said that lashon ha-ra (disparaging speech) kills three: the person who speaks it, the person who hears it, and the person about whom it is told.

## **במערבא אמרי לשון תליתאי הורג למספרו ולמקבל ולאומר**

A baraisa was taught in the academy of R. Yishmael: Whoever speaks Lashon Hara proliferates iniquities equivalent to the three cardinal sins- idol worship, illicit relations, and murder.

## **תנא דבי רבי ישמעאל כל המספר לשון הרע מגדיל עונות כנגד שלוש עברות עבודה כוכבים וגילוי ערית ושפיכות דמים**

### Slide 33: Tzorat

The prohibition of Loshon ha-rah is stated clearly in the Torah. Deut. 24:8 - "Take heed concerning the plague of leprosy" because it is a punishment of Lashon Hara.

## **הִשְׁמֵר בְּנִגְעַת-הַצִּרְעָתָה לְשֹׁמֵר מְאֹד, וְלַעֲשׂוֹת: כָּל אֲשֶׁר-יִוְרוּ אֶתְכֶם הַכְּהֹנִים הַלְוִיִּם, כְּאֲשֶׁר צִוִּיתֶם--תִּשְׁמְרוּ לַעֲשׂוֹת**

Deut. 24:9 - "Remember what the L-rd your G-d did unto Miriam by the way as you came forth out of Egypt." Specifically, she spoke against her brother Moses.

## **זָכוֹר, אֵת אֲשֶׁר-עָשָׂה יְהוָה אֱלֹהֶיךָ לְמִרְיָם, בְּדֶרֶךְ, בְּצֵאתְכֶם מִמִּצְרָיִם**

### Slide 34

Deut. 19:15 - "One witness shall not rise up against a man for any iniquity or for any sin" because, unlike in a court for monetary matters, the testimony of a solitary witness is not binding, so that his testimony damages the defendant's reputation without any beneficial result.

## **לֹא-יָקוּם עַד אֶחָד בְּאִישׁ, לְכָל-עֵוֹן וְלְכָל-חַטָּאת, בְּכָל-חַטָּא, אֲשֶׁר יַחֲטָא: עַל-פִּי שְׂנֵי עֵדִים, אוֹ עַל-פִּי שְׁלֹשָׁה-עֵדִים--יָקוּם דְּבַר**

It is forbidden to say negative things about a person, even in jest. It is likewise considered a "shade of lashon ha-ra" to say positive things about a person in the presence of his enemies, because this will encourage his enemies to say negative things to contradict you! A mere wink or gesture can catapult a communication into lashon ha-ra



### Slide 35

Verses sighted that prohibit repeating a loshon ha-rah or when rechilut is spoken include

Ex. 23:1 - "You shall not utter a false report." Acceptance of a false report also follows from this.

**לֹא תִשָּׂא, שִׁמְעֵ שׂוֹא; אֶל-תִּשֶׁת יָדְךָ עִם-רָשָׁע, לְהִיֵּת עַד חֲמָס**

Lev. 19:14 - "Before the blind do not place a stumbling block." This applies to both the speaker and the listener since they are helping each other violate the commandments.

**לֹא-תִקְלַל חֵרֶשׁ--וְלִפְנֵי עוֹר, לֹא תִתֵּן מִכְשָׁל; וְיִרְאֵת מֵאֲלֵהֶיךָ, אֲנִי יְהוָה**

### Slide 36

Lev. 19:12 - "You shall not hate your brother in your heart," referring to contradictory behavior such as acting friendly but then speaking negatively about him behind his back.

**לֹא-תַעֲשֶׂק אֶת-רֵעֶךָ, וְלֹא תִגְזַל**

Lev. 19:18 - "You shall not take vengeance or bear any grudge against the children of your people," such as speaking against someone in anger and for something that was done against the speaker.

**לֹא-תִקֵּם וְלֹא-תִטֹּר אֶת-בְּנֵי עַמֶּךָ**

Lev. 19:17 - "You shall rebuke your neighbor and you shall not bear sin because of him." **hocheiach tochiach et amiteicha** This verse contains two mitzvot: (1) stop someone from speaking Lashon Hara and (2) don't embarrass him in the process. (Note: rebuke is not a simple topic, especially because the one being scolded may not always listen. This is covered in some detail in the second section of the book, Hilchot Rechilut.)

**הוֹכִיחַ תּוֹכִיחַ אֶת-עַמִּיתְךָ, וְלֹא-תִשָּׂא עָלָיו חֲטָא.**

### Slide 37

Lev. 19:18 - "Love your neighbor as yourself."

**וְאָהַבְתָּ לְרֵעֶךָ כְּמוֹךָ,**

**B'tzedek tishpot et amiteicha**

Deut. 10:20 - "To Him [and (by implication) his wise ones] shall you cleave."

**אֶת-יְהוָה אֱלֹהֶיךָ תִירָא, אֹתוֹ תַעֲבֹד; וְבוֹ תִדְבָּק, וּבְשִׁמוֹ תִשָּׁבַע**

Ex. 23:2 - "You shall not follow a multitude to do evil." The above two commandments refer to keeping good company, which includes those who will refrain from improper subjects in their discussions

## לא-תהיה אַחֲרֵי-רַבִּים, לְרַעוּת; וְלֹא-תַעֲנֶה עַל-רַב, לְנִטּוֹת אַחֲרֵי רַבִּים—לְהַטּוֹת

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### Slides 38- 47 Embarassing Someone in Public

#### Slide 38 BM 3:10

The Mishnah in Bava Metzia 3:10 notes Just as there is wronging in buying and selling, so there is wronging with words. One should not say to someone, “How much is this item, if he does not want to buy it. If someone was a penitent- one should not say to him, “Remember your past deeds.” If someone was descended from proselytes- one should not say to him, “remember the deeds of your forefathers . For it is stated : And you shall not wrong or oppress a proselyte

כשם שאונאה במקח וממכר כך אונאה בדברים לא יאמר לו בכמה חפץ זה והוא אינו רוצה ליקח אם היה בעל תשובה לא יאמר לו זכור מעשיך הראשונים אם הוא בן גרים לא יאמר לו זכור מעשה אבותיך שנאמר (שמות כב) וגר לא תונה ולא תלחצנו

#### Slide 39 BM 53a

The gemara in Bava Metzia 53a elaborates : “How then do I explain the verse and a man shall not wrong his fellow?- It must deal with verbal wrong “

## הא מה אני מקיים דלא תונו איש את עמיתו - באונאת דברים

The argument continues in Bava Metzia 58b where we learn:

*Rav Yochanan said in the name of R. Shimon ben Yochai: Verbal wronging is a greater sin than monetary wronging (i.e. price fraud). For concerning this i.e. verbal wronging it is stated: And you shall fear your God, whereas concerning this i.e. monetary wronging , it is not stated: And you shall fear your God- And R. Elazar says that verbal wronging is more serious for another reason- This i.e. verbal wronging affects his the victims very self, -whereas this (i.e. monetary wronging) affects only the victim's money. R. Shmuel bar Nachmani said: With this, i.e. monetary wronging, restitution is possible- but with this, i.e. verbal wronging, restitution is not possible.*

*A Tanna taught the following Baraisa in the presence of Rav Nachman bar Yitzchak: if anyone makes his friend's face turn white from shame in public, it is as if he spilled blood ie. Murdered his friend. He Rav Nachman bar Yitzchak said to*

*the Tanna- What you are saying is right- because I have seen how the red coloring leaves the face of an embarrassed person and his face turns white.*

אמר רבי יוחנן משום רבי שמעון בן יוחאי: גדול אונאת דברים מאונאת ממון, שזה נאמר בו ויראת מאלהיך וזה לא נאמר בו ויראת מאלהיך. ורבי אלעזר אומר: זה בגופו וזה בממונו. רבי שמואל בר נחמני אמר: זה - ניתן להישבון, וזה - לא ניתן להישבון. - תני תנא קמיה דרב נחמן בר יצחק: כל המלבין פני חבירו ברבים כאילו שופך דמים. - אמר ליה: שפיר קא אמרת, דחזינא ליה דאזיל סומקא ואתי חוורא

*The sin of humiliating another in public and its irreversible damages is illustrated by a sugya that notes the futility of attempting to ever completely rectify the damage wrought by the humiliation of others.*

#### **Slide 40**

When one is embarrassed “Azil sumaka v’ati hivara,” the features lose their red color and turn white; thus, the Talmudic term for humiliation, “**halbanat panim**,” whitening of the face.

Talmudic usage of Hebrew “K” at the beginning of “like murder” i.e. humiliation is “**k’sh’fikhat damim**”

#### **Slide 41**

The discussion continues in Bava Metzia 59a where we learn:

אמר דוד לפני הקדוש ברוך הוא: רבונו של עולם, גלוי וידוע לפניך שאם היו מקרעים בשרי לא היה דמי שותת לארץ. ולא עוד, אלא אפילו בשעה שעוסקין בנגעים ואהלות אומרים לי: דוד, הבא על אשת איש מיתתו במה? - ואני אומר להם: מיתתו בחנק, ויש לו חלק לעולם הבא, אבל המלבין את פני חבירו ברבים - אין לו חלק לעולם הבא

David HaMelech’s retort to his tormentors included the admonishment that one who shames others in public forfeits his eternal reward. This notion is in fact stated authoritatively a number of times in the Talmud. Commentators offer several possibilities to explain the basis for such a severe prohibition.

#### **Slide 42: Merit of Tamar not embarrass Yehudah in public**

Bava Metzia 59a sugya continues with noting the merit of Tamar: *And Mar Zutra bar Toviyah said in the name of Rav- and others say, it was Rav Chana bar Bizna who said in the name of R. Shimon Chasida; and others say it was R. Yochanan who said in the name of R. Shimon ben Yochai- It is better that a person cast himself into a fiery furnace- than that he should shame his fellow in public. From where do we know this? From TAMAR. For it is written: As she was taken out (to be executed) she sent to her father-in-law, Judah the pledges he had left with her, but she refused to shame him in public by naming him as the father of her child.*

[אמר] + מר זוטרא בר טוביה אמר רב, ואמרי לה אמר רב חנא  
בר ביזנא אמר רבי שמעון חסידא, ואמרי לה אמר רבי יוחנן  
משום רבי שמעון בן יוחאי: נוח לו לאדם שיפיל עצמו לכבשן  
האש ואל ילבין פני חבירו ברבים. מנא לן - מתמר, דכתיב  
בהיא מוצאת והיא שלחה אל חמיה.

### **Slide 43: Rabbenu Yonah and Rambam**

Rabbenu Yonah in Sha'arei Teshuvah identifies embarrassing others as avak retzichah, a sub-category of murder (see Pirke Avot 3:11 )

Rambam In his pirush al ha-Mishnah observes that shaming others does not appear to be a prohibition that one would intuitively associate with such a severe punishment as losing one's portion in the future reward. However, the action is indicative of the nature of its protagonist. One who would engage in such behavior, writes the Rambam, can only be one of low character and underdeveloped morality, an individual whose behavior in general will inevitably result in spiritual condemnation. Thus, the Rambam, who declined to impose martyrdom to avoid humiliating others, apparently feeling the homicide/humiliation comparison to be non-literal, is here loyal to that position. In his view the transgression itself did not earn the punishment, but rather revealed a personality who will prove himself in other ways to be deserving of such

### **Slide 44: Tashbaz**

R. Shimon b. Tzemach Duran, the Tashbetz, notes that in the process of humiliating another, one commits two distinct transgressions, evolving from two different passages in the Talmud. The first is the

topic of the Talmudic text cited earlier (Bava Metzia 58b), *ona'at d'varim*, “verbal” oppression, subsumed within the biblical prohibition, “a man shall not oppress his friend.”

The Talmud displays an exquisite sensitivity to the potential of even an accidental misplaced word to cause great anguish: This attitude is also evidenced by countless enactments of the Rabbis designed “*sh'lo l'vayesh*,” not to embarrass

**Slide 45: Alshikh, the Tikkunei Teshuvah, and the P'nei Yehoshua**

If the prohibition of verbal oppression addresses the hurt feelings and emotional scarring caused by embarrassment, another element of the offense yet remains to be covered by “you shall not bear iniquity because of him.” In addition to the pain felt by the humiliated individual, there is the completely separate component of the stripping away of human dignity, the lowering of status within society. In this respect, it would seem more likely that the degree of publicity attendant to the incident would have a direct effect on the severity of the offense. This follows along the lines of the aforementioned comments of the Alshikh, the Tikkunei Teshuvah, and the P'nei Yehoshua; the Divine image, the source of human dignity, has been compromised