

From Pele Yoetz, written by the Bulgarian Rabbi Eliezer Papo (1785-1826)

– "לשון הרע" –

ידוע רעות הלה"ר כי רבה, עד שאמרו שהיא שקולה כנגד עבודה זרה ג"ע . . .
ולשון הרע הוא המדבר בגנות חברו, אפי' אומר אמת . . .
וביותר יגדל הכאב על המדברים בגנות משפחה או בגנות בני העיר או בגנות שבט מישראל, כגון ספרדים על
אשכנזים ואשכנזים על ספרדים,
וידוע מדברי רז"ל שהקב"ה מקפיד הרבה על המלמדים קטיגורייא על ישראל, ואין לך כל עיר ומשפחה ושבט
וכל איש שאין בו בר ותבן, ואין עץ בלא עשן ואין שלם בכל אלא א' יחיד ומיוחד יתברך שמו,
ואין להאנשים לגנות לשום אדם על אשר נמצא בו דבר לא טוב, כי דרך איש ישר בעיניו ומה יעשה הבן?
הישר בעיניו יעשה לפי דעתו, ולפי מה שיהיה לו עזר משד-י,
ומה גם שאין לכלול ולגנות כל המשפחה או כל העיר בשביל איזה אנשים מהם שנמצאו אשר לא טוב עשו,
ואם גדול עונש לה"ר להמדבר על היחיד, עאכ"ו רעה כפולה ומכופלת למדבר על הרבים.
(והן אמת שצ"ע על מאי דאיתא בש"ס בכמה דוכתי בגנות בני חוזהא שהיו מעונגים . . . ואפשר שיש צדדים
להתיר כמו בדבר הידוע . . . אמנם לפי חומר שבו וגודל עונשו עד שממנו נקח שמכעיס הרבה לבוראו, יחיד
האיש וילפת ויברח מאה שערים של התר כדי שלא יכנס בפתח א' של אסור . . .

– "Lashon Hara" –

It is known that the evil of lashon hara is indeed great, to the point that they said that it was equivalent to idolatry and adultery/incest . . .
Lashon hara refers to speaking the denigration¹ of his fellow, even if he speaks truth . . .
The pain of this is increased with regard to those who speak the denigration of a clan, or of the population of a city, or of a tribe of Israel, such as Sefardim about Ashkenzim and Ashkenzim about Sefardim,
and it is known from the words of our Teachers of Blessed Memory that The Holy One Who is Blessed objects greatly to those who advocate for the Prosecution against Israel, and as there is no city or clan or tribe, or individual, who does not contain both wheat and chaff, and there is no fire without smoke², and no one is utterly complete except The One Individual and Unique may His Name be blessed,
and it is not proper for people to speak the denigration of any person because something not good is found in them, for the way of a person seems straight to him, and what will the son do³? What is straight in his eyes he will do in accordance with his opinion, and in accordance to the Divine assistance given him,
so certainly one should not generalize and speak the denigration of the entire family or the entire city because of some people among them who did not behave well, and if the punishment of lashon hara is great for he who speaks about an individual, how much more so, severity doubled and redoubled, for one who speaks about many,
(It is true that investigation is necessary regarding the several places where the Talmud records statements that speak the denigration of Bnei Chozaah, that they were hedonists . . . but perhaps there were grounds for permission, such as with a matter that is known . . . but because of the intrinsic severity of lashon hara, and the great punishment associated with it, so that we can derive that it greatly angers the Creator of the one who speaks it, a person should tremble and faint and flee through one hundred gates of permission so as to avoid entering one gate of prohibition . . .

¹ "shame" and "damaged position" are alternate translations

² The Hebrew has "ayin tzadi", wood, rather than "alef shin", fire, but I can't understand the metaphor

³ See Rashi Exodus 32:31, based on Talmud Berakhot 32a

Is racist speech prohibited? This question comes up regularly in Modern Orthodox fora. Those of us (I hope all of us) with liberal sensibilities on the issue find it obviously wrong, but have generally struggled to root that obviousness in a specific text. One might say that it follows a fortiori from the prohibition of lashon hara against individuals, and indeed Pele Yoetz above argues just that, and also condemns stereotyping, and as such should be cited in those contexts.

On a purely abstract level, however, one might argue that speech against a large class of people is less wrong because the harm to any individual is so slight, or that when discussing broad social or political phenomena it is necessary to speak about aggregates as a whole – for example, it would be challenging if campaign discourse required one to list individually the members of the Republican party that wish to ban abortion even when the continuing pregnancy threatens the fetus-carrier's life, rather than saying "Republicans choose fetuses over mothers", and the converse for Democrats who support elective feticide. That second argument has some appeal for me, in limited contexts – the first reminds me of the rabbinic characterization of Sodom as a city whose citizens would go on mass home invasions in which each invader would steal an amount just below the formal value threshold that triggers the prohibition against theft.

Pele Yoetz's argument has an interesting extension that may or may not be an overextension – your comments are welcome. He says that permitting generalizing speech would make each group a target, as there are bad apples in every barrel. But rather than leaving this as a response specifically and exclusively to the problem of negative speech about groups, he then contends that every individual contains both good and bad, and therefore all negative speech about anyone is also overgeneralization.

Here I wonder whether his argument does not open the door to permitting negative speech so long as its negative content is placed in proper perspective, in other words if one reports positive and negative in true-life proportion. In other words – is lashon hara intended to prevent true characterization (by filtering the negative), or to ensure it (by ensuring that negative information is contextualized)? New Republic Legal Affairs Editor (and CMTL guest lecturer) Professor Jeffrey Rosen argues compellingly in [The Unwanted Gaze](#) that the wrong of revealing private information is often that the revealed information now plays a disproportionate role in the subject's public image – perhaps negative information is always overconsidered, and accurate characterization is impossible, or at least requires that presentations be heavily overweighted toward the positive.

All this assumes the definition above of lashon hara as negative, or speaking the denigration of – I hope soon to discuss alternate formulations.

Shabbat Shalom

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