

CENTER FOR MODERN TORAH LEADERSHIP



MAY ONE PRAISE RABBIS ON THE INTERNET?

By Rabbi Aryeh Klapper

My mother *a"b* included selections from the Chofetz Chayyim in the Survey of World Literature courses she taught at various colleges. Her non-Jewish students were always positively amazed that Hilkhos Lashon Hora existed. But what blew their minds were the “dust of lashon hora” prohibitions, especially the conclusion of Sefer Chofetz Chayyim 9:1:

There are things forbidden as “dust of lashon hora”, such as saying “who would have said X would turn out the way he is now?”, or “Be silent about X – I don’t want to say what happened and what will be”, and suchlike. Also speaking in praise of another in the presence of those who hate that other person – that also is included in “dust of lashon hora”, because it causes others to speak in his denigration. Speaking excessively in praise of another, even not in the presence of those who hate that person – is forbidden, because it regularly causes you to in the end speak in his denigration, saying “except for this bad characteristic he possesses”, or (because) listeners will respond: “Why are you praising him excessively? Doesn’t he possess such-and-such a (negative) characteristic?”

Growing up, it was important for me to know that non-Jews found these laws beautiful. I lived in an Orthodox community replete with “Drive Lashon Hora Away” bumper stickers. My prize – two years in a row – for winning my summer camp’s mishnayot memorization contest was a Kitzur Hilkhos Lashon Hora, and it was a Sefer Chofetz Chayyim the third year. And yet all this spiritual effort seemed an obvious failure. Lashon Hora was everywhere, including about other people who, I was told, constantly spoke lashon hora and should therefore be avoided.

In retrospect, I had no way of comparing the extent of scandalmongering in my community to any other, and no concept of partial success. Very likely the campaigns succeeded to an extent. I had not learned Lon Fuller’s concept of the “aspirational ethic”, nor Professor Benny Brown’s critique of the legal formalization of Jewish speech ethics. I was naturally hypersensitive to the appearance of hypocrisy, or at least to other people’s apparent hypocrisy.

Moreover - I ran a semester-long seminar on Hilkhos Lashon Hora at a pluralistic Jewish high school around a decade ago. The students agreed on the first day to make it a lab; we would all try to practice what we learned and see what happened. It was hard, they reported, especially to walk away from gossip-infused

conversations without seeming or being arrogant. But they felt better about themselves overall.

Toward the end of the semester, a natural experiment fell into our laps. The school publicly suspended several students. Everyone needed to process this traumatic event, and so I proposed that we do so in our seminar, and see whether Hilkhos Lashon Hora made a difference. Afterward, the students overwhelmingly said that it had made a large difference – and I couldn’t tell what the difference had been.

The bottom line is that I’m probably really bad at knowing how well these halakhos work to improve character. I know that I find them beautiful and powerful and aspire to live up to the ideals they express.

They can be wielded as powerful weapons for evil. Charismatic individuals and powerful institutions regularly try to use them to shield everything from major criminal acts to minor cruelties. I say this from extensive personal experience. I have publicly stated and written many, many times – and do so here again - that effective investigative journalism is an indispensable component of moral community, and that Orthodoxy suffers from not having enough of it. And I strongly suspect that halakhic qualms inhibit me from speaking out as often or as clearly or as soon as I should.

Some items I read recently send me straight into lashon-hora paradox mode. They praised a person in ways that immediately set me to thinking of that person’s flaws. I also thought of the people who had been harmed by those flaws – surely it would be a mitzvah to speak out and show them they were not alone.

In the end, I didn’t write my thoughts as public comments. I didn’t even give into the temptation to write “See Chofetz Chayyim 9:1”. Instead, I tried to sublimate the urge by researching and analyzing the halakhic detail that so impressed my mother’s students.

Let me begin with this: The Chofetz Chayyim bans speaking a person’s praise in front of people who hate that person because of the risk that those people will respond with lashon hora. But he recognizes – even if his emphasis is almost always the other way – that speaking negatively of someone is a mitzvah when it prevents future abuse. Many great scholars have subsequently shifted the emphasis. What I haven’t seen is a halakhic analysis that examines whether/when speaking negatively of someone is

necessary precisely **because** someone else has praised them excessively.

In other words: The Chofetz Chayyim speaks of “people who hate” the object of negative speech, without distinguishing among grounds for hatred, or among true and false grounds. Standard halakhah distinguished legitimate true grounds that create a risk of future harm. I think there’s a growing sense that praising someone in the presence of their victims is a form of direct harm to their victims. My question is whether halakhah justifies or mandates mitigating that harm by publicly contradicting or contrapointing the praise, without requiring a claim that this is needed to prevent future harm.

Any such justification would require weighing the harm caused against the harm prevented. The morally complicating feature of this case is that the praisee would have done nothing new to deserve having their flaws discussed.

The primary source for this halakhah is found on Talmud Bava Batra 164b:

A folded-and-sewn contract came before Rebbe. Rebbe said: Is this contract undated?
Rabbi Shimon his son said to him: Perhaps the date is buried in the folds?
He opened it and found it.
He then found Rebbe eyeing him suspiciously, so he said: I didn’t write it; R Yehuda Hayyata wrote it.
Rebbe said to him: Stay away from such lashon hora!
Some time later, he was sitting before Rebbe, who was reciting from a Book of Psalms.
Rebbe said: This is so beautifully scribed!
Rabbi Shimon said to him: I didn’t write it; Yehudah the Tailor wrote it.
Rebbe said to him: Stay away from such lashon hora!
(The Talmud asks:) It’s clear what the lashon hora was in the first case, but what is the lashon hora in the second case?
(The Talmud answers that the lashon hora in the second case) emerges from a beraita taught by Rav Dimi the brother of Rav Safra: “A person must not tell the good of his fellow, as out of the good he will come to (tell) his bad.

CHIDA and others argue convincingly that the stories must be read together; because Rabbi Shimon attributed the problematic contract to the other scribe, all future praise becomes risky, because it recalls the criticism.

The obvious problem is that the alternative is to leave Rebbe knowing only the negatives about that scribe. I have not seen any answer to that problem.

Rashbam and many other rishonim limit Rav Dimi’s beraita to cases of excessive praise. That seems hard to read into the sugya, where it is cited to criticize Rabbi Shimon simply for identifying the person who he really thought was deserving of praise. It’s also hard to read the condition “in front of those who hate him” into

the story. Rather, these conditions seem to be common-sense extensions or limitations of a rule taught in relation to an unusual case.

Rabbeinu Yonah (Shaarei Teshuvah 3:226) shifts the burden of proof dramatically:

One must not speak good about a person . . . in public unless one knows that there is no one present who hates or is jealous of the person.

This would certainly forbid all praise on social media. Yet won’t the result be that the negative dominates? Surely it must be okay to speak good of someone in response to lashon hora, and wouldn’t it be reasonable to allow preemption as well, so that the inevitable negatives are not immediately accepted as fact? Put differently: The observance of lashon hora cannot reasonably be based on the presumption that everyone else fully observes the rules of lashon hora.

Maharshal (cited from commentary on SMAG) contends that Rav Dimi does not apply to students speaking about their teachers, because “everyone knows that a student is obligated to speak the good of their teacher, and so there is no jealousy”. However, CHIDA (Ruach Chayyim Derush 15) is unable to find a source for this obligation, and cannot understand why it would justify praising teachers in front of those who hate them.

I suggest that Maharshal is speaking of a psychological rather than a halakhic obligation, and that he very carefully limits his limitation to the aspect of jealousy. Students feel compelled to praise their teachers to justify their own educational choices, and also to express gratitude; other scholars, and students of other scholars, understand that and ought to be able to restrain themselves from tearing down the competition. But this has no application to cases of actual enmity or victimhood, where CHIDA is compelling.

Others claim that the rule doesn’t apply to tzaddikim, whom no one would speak ill of. This approach seems to me irredeemably circular and therefore flat-out dangerous.

In the end, I think it is vital for students and disciples to understand that the urge to praise one’s teacher to others always involves an element of self-praise, and comes bound together with a preference to deny the existence and experience of victims. That can’t mean that it is always forbidden to praise one’s teachers on the internet; rather, like all the rules of lashon hora, it means that a responsible moral person seeks to understand all consequences before speaking.

Shabbat shalom!