YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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***Bein Adam Le-chavero*: Ethics of Interpersonal Conduct**

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**Shiur #10: Embarrassing Others**

**The Novelty of Prohibiting the Embarrassment of Others**

Shaming others is surely forbidden, though the exact source and its possible ramifications are subject to debate. In fact, the need to mention a prohibition of embarrassing others seems to be rather redundant and unnecessary. Firstly, as we have discussed in the past couple of weeks, *onaat devarim*, causing others distress verbally, is forbidden, even if no third party will hear; certainly, embarrassing and vilifying others would be prohibited! Secondly, it would seem to be unnecessary. After all, this series has hopefully shown that in every aspect of human interrelations, the Jewish ethical system raises the bar and requires much more than one would have originally thought. For this reason, one may ask: what is not included in other prohibitions but banned by this negative command? What unique Jewish teaching is added by the prohibition of embarrassing others?

In truth, the basic prohibition of shaming others is in fact self-evident. It certainly fits the build of a severe form of *onaat devarim.* However, Judaism's outlook on interpersonal relations is highlighted by the severity with which the Torah looks upon embarrassing others; thus, one must abstain from certain positive acts for fear that they might shame another.

**The Source**

While it is not a matter of debate that there is a prohibition to shame others in public, its source is in dispute; this may influence some practical ramifications of the prohibition. The most basic source is a verse from the section of the Torah mandating rebuking one’s fellow Jew who has sinned. The Talmud in *Arakhin* (17b) expounds the verse, specifically the conclusion, which states that when reproving one’s companion, one must not bear sin because of him or her. The verse states:

You shall certainly rebuke your comrade, and you shall not bear sin on his account. (*Vayikra* 19:17)

The Talmud explicates:

From where do we derive that one who sees something reproachable about his companion should rebuke him? It is said, “You shall certainly rebuke your comrade…” One might think that the obligation of rebuke applies even if the other’s face pales; the Torah therefore states, "You shall not bear sin on his account.”

Rashi (*ad loc.)* explains that the mitzva to give constructive criticism does not give one license to criticize the sinner in public, since the other will become embarrassed and ashen-faced. (Indeed, the term “mortification” in English refers to this phenomenon as well.)

The Rambam (*Sefer Ha-mitzvot*, Negative 303) quotes this as the source for the prohibition of embarrassing others, but in his *Mishneh Torah* (*Hilkhot De’ot* 6:8), he adds an important factor. If one must be cautious while rebuking a sinner in order not to cause embarrassment, certainly when dealing with every fellow Jew in everyday matters, one must be extremely careful not to cause any embarrassment to others.

This source is noteworthy for this very reason. The context of the prohibition is interesting. Despite the fact that one is discharging the uncomfortable duty of admonishing wrongdoers, one still must be careful so as not to embarrass his or her fellow Jew. The other individual’s failure in adherence to the word of God does not authorize humiliation, nor does one’s own punctiliousness permit treating the sinner in any way one deems fit. If the Torah chooses to teach one's obligation to prevent embarrassment in the context of dealing with a sinner, then it must impress upon us the severe nature of the prohibition, for which there seems to be no exception.

Others teach that the severe prohibition of *onaat devarim* (see previous lessons) includes this injunction as well. This opinion is seemingly expressed by Rabbeinu Yona (*Shaarei Teshuva* 214). This idea may be expressed by the Chinnukh as well. Though he cites (Mitzva 240) the same verse as the source of the prohibition of embarrassing others, he also mentions the same idea in the context of *onaat devarim* (Mitzva 338):

Among the laws of this precept are many admonitions and exhortations which our Sages of blessed memory warned us about in this matter, such as not to inflict pain on people by any means and not to embarrass them.

The Chinnukh may be expressing his opinion that embarrassing another is an extreme form of *onaat devarim*, and therefore it may exhibit certain properties of the prohibition of *onaat devarim*.

In truth, the first view would seem to be very understandable. Reproving another may technically involve *onaat devarim,* as it is safe to assume that in many cases, though well intended, the one being rebuked will be aggrieved by the words of the rebuker. Still, the Torah states that one must rebuke sinners, so as to help them improve their ways. If so, the basic prohibition of *onaat* *devarim* is pushed aside by the requirement to rebuke, but as the conclusion of the verse states, that of shaming is not.

According to the opinion which sees the prohibition as related to or stemming from *onaat devarim*, however, it is difficult to explain what the difference is between aggrieving others, which is suitable for the sake of rebuke, as opposed to embarrassing others, which is unacceptable, if they are both part of the same prohibition? The answer to this question might be found in a discrepancy in the opinions of the Rambam and the Chinnukh regarding embarrassing others.

The Rambam is so worried about the prohibition of shaming that he bans it categorically, even when done with the best of intentions (other than regarding sins between man and God, which will be discussed later). He states:

It is forbidden to embarrass a fellow Jew, especially in public. Even though one is not lashed for embarrassing another, it is a grave sin. Our Sages said: "Anyone who publicly mortifies his companion has no portion in the World to Come." Therefore, a person should be careful not to publicly embarrass a fellow Jew, whether of greater or lesser stature; one must not call another by an embarrassing name, nor relate a shameful matter in his presence.

This prohibition, according to the Rambam, pervades all interpersonal relations, almost without exception. The Chinnukh (Mitzva 239), on the other hand, is much more willing to allow one to embarrass others, if necessary, for the sake of improving their behavior.

They teach in the Sifra, “One might think that the obligation of rebuke applies even if the other’s face pales; the Torah therefore states, ‘You shall not bear sin on his account.’” This teaches that initially when one reproves another, he should do so in privacy with soft language and gentle words, so that the other will not be abashed. Still, there is no doubt that if the other does not discontinue at this point, the sinner is to be disgraced in public, his misdeed made widely known, and he vilified until he returns to the good, proper path.

It may be that the Chinnukh cites a more lenient approach towards shaming others in the context of rebuke because he is convinced that the Torah essentially prohibits a severe form of *onaat devarim* if it unnecessary for rebuking others. However, just as the basic prohibition of *onaat devarim* is superseded for the need of rebuke, the severe form of *onaat devarim,* namely shaming others, is also permitted if the simple form of tough talk doesn't work. (One may also explain that there is a terminological distinction, “to abash” as opposed to “to mortify.” The Chinnukh uses the former term here, possibly in order to refer to a lesser degree of embarrassment which doesn't cause the face to lose color.)

**Akin to Bloodshed**

Both of these sources seem to indicate that, despite its severity, shaming others is still included within a mainstream prohibition and should be treated accordingly. In truth, however, there may be another source entirely for the prohibition, one which calls into question whether this is merely a restricted act or one of the most severe prohibitions, akin to taking a human life.

In a number of places, the Talmud seems to indicate that embarrassing another is actually a form of bloodshed. The main discussion appears in *Bava* *Metzia* (58b):

A disciple taught before Rav Nachman bar Yitzchak: “Anyone who publicly mortifies his companion is comparable to a shedder of blood.” He replied: “Your statement is correct, for the red color of the face disappears, and it becomes white.”

The Talmud continues to lay out the severity of embarrassing others, even when the victim is so used to this indignity that his or her face does not change color. The ensuing statements (58b-59a) explore the prohibition in ways that would seem to equate embarrassing others with a real form of bloodshed.

Rabba bar Bar-Channa said in the name of Rabbi Yochanan: “It is preferable to commit an act of potential adultery rather than publicly mortify one’s companion.”

The Talmud continues by citing an episode which proves this assertion. When faced with an embarrassing question, King David chooses to teach his teasers a lesson regarding the severity of embarrassing others. Rava expounds *Tehillim* 35:15 in the following way:

David exclaimed before the Holy One, Blessed be He, “Master of the Universe! You know full well that had they torn my flesh, my blood would not have poured forth to the earth. Moreover… they mock me, saying, ‘David! What is the penalty for one who sleeps with a married woman?’ I reply to them, ‘He is executed by strangulation, yet has he a portion in the World to Come; but anyone who publicly mortifies his companion has no portion in the World to Come.’”

This teaching of King David, presenting the harshness with which the Torah views one who embarrasses another publicly, might be interpreted as an educational, moral message, voiced without any intention of it being taken literally. However, the Talmud continues by citing an incident in the Torah, explaining that the principle which lies behind the story is that one must be prepared to surrender one’s life to avoid embarrassing another.

In *Bereishit* 38:25, Tamar is reluctant to publicly accuse Yehuda, the man who has condemned her to burn for adultery, unaware that he is in fact the father of the twins in her womb. The Talmud explains:

It is preferable for an individual to throw himself into a burning furnace rather than publicly mortify his companion. This may be derived from the act of Tamar…

The Talmud's teaching, that it is preferable to allow oneself to be burned to death rather than embarrass another, certainly raises a large number of questions. For now we will suffice ourselves with the most basic one: what is so severe about embarrassing another publicly that could possibly make it worse than adultery and worth dying for? (In our next lesson, we will address the question of whether this line should be taken literally or not, but even the possible hyperbole must be understood.)

**Whitening the Face**

On the simplest level, the severity of embarrassing another can be understood if we take the Talmud's first statement, that embarrassing another is akin to murder, in its literal sense. The Talmud adds to its declaration some physiological evidence: “for the red color of the face disappears, and it becomes white.” The literal term for mortification is in fact *halbanat panim*, whitening the face.

This immediately raises two questions: one, is this physically true; two, is causing blood to leave another’s face significant?

Rav Ovadya Bartenura (*Avot* 3:15) explains the physical property of embarrassment that resemble bloodshed:

Initially, “the red color of the face disappears, and it becomes white.” The reason for this is that a person's soul has two types of movements, one outer and one inner. When embarrassed, one first experiences rage at what has occurred, and his feelings move outward, expressing themselves with the reddening of the face.  However, once he fails to provide a satisfactory response for how to remove this embarrassment, his concern turns inward, towards an internal sense of worry, and the blood leaves his face, resulting in the whitening of the face.

Along similar lines, the Midrash Shmuel (*Avot* 3:15) quotes in the name of Rav Menachem of the House of Meir a description that will be familiar to anyone who has ever been truly embarrassed.

One who is humiliated, his face first turns red, and then turns white, because due to the magnitude of the shame, his soul flies away, as if it wanted to leave the body... Once the blood returns to its source, the face turns white, like someone who has died...

Nonetheless, some sources do emend the text to speak of reddening the face instead. (For a lengthy discussion of this issue, see *The Right and the Good* by Rav Daniel Feldman; he quotes an array of sources on this topic.)

In fact, the Talmud's analogy seems to be taken literally by at least one of the Rishonim. In two places, both in his commentary to *Avot* and in his *Shaarei Teshuva*, Rabbeinu Yona explains that embarrassing another publicly is a subcategory of bloodshed and is to be treated like homicide. Just as one would have to forfeit one’s own life rather than kill another human being, so too one must be willing to die rather than embarrass another.

His words in *Shaarei Teshuva* (3:139) are extremely poignant:

An act which resembles murder is shaming one's fellow and whitening his face, for as the red color leaves, it resembles murder. The Sages have also said this (*Bava Metzia* 58b). Secondly, the pain of embarrassment is bitterer than that of death, as the Talmud says, “It is preferable for an individual to throw himself into a burning furnace rather than publicly mortify his companion.” The Sages did not make such statements in connection with other severe transgressions. Indeed, this is the only transgression they compare to actual murder… just as Tamar was willing to be burned rather than reveal that she was pregnant by Yehuda.

Certainly, Rabbeinu Yona tells us that the comparison of shaming to murder is not to be taken lightly; the analogy seems to be literal. (In the next lesson, we will address the issue of whether Rabbeinu Yona indeed intends to state a halakhic opinion in this context.)

**What About in Private?**

The terminology of “*halbanat panim*" may have halakhic implications for distinguishing between different forms of embarrassment.

The severity of the prohibition of embarrassing others is usually discussed in reference to public shaming. This is how it appears in the Talmudic statement regarding Tamar, and this is how it appears in *Avot*. In truth, though, while it is certainly more egregious to embarrass others publicly, a similar act in private may be treated with almost the same level of harshness.

Avoiding others’ embarrassment is not a novel concept within Judaism. One of the three sterling characteristics of the Jewish people, as we noted last year, is that they are *baishanim*, bashful. Similarly, the need to maintain *kevod ha-beriyot* (human dignity) may supersede other halakhic considerations when embarrassment is a factor. If so, how is one to view embarrassing others in private?

The Mishna (*Avot* 3:15) lists embarrassing others publicly among the five acts which prevent someone from having a share in the World to Come:

Rabbi Elazar Ha-Moda’i said: “One who… publicly mortifies his companion… though he may have the knowledge of Torah and good deeds, has no share in the World to Come.”

In the aforementioned source, however, the Rambam seems to note the severity of embarrassing others publicly while at the same time making clear that shaming another to the point that it is evident on his or her face is prohibited under all circumstances. The one who does so publicly forfeits a place in the World to Come, but it is prohibited to act thusly in private, even for the sake of rebuke.

The Chafetz Chayim (Negative 14, *Be'er Mayim Chayim*) notes that even though other commentators, such as Rashi, do not mention this notion explicitly, there is good reason to believe that they are still in agreement with it.

If one speaks to a sinner in a harsh manner, to the extent that he becomes embarrassed, even in private, then one transgresses this prohibition. This is also clear from the wording of the *beraita,* which states that "if his face changes color, he transgresses," implying that in all situations of embarrassing others, even privately, one violates this prohibition.

**Form of Death**

The case of Tamar may be significant for another reason as well. Itturei Torah (*Vayeshev* 38:20) quotes the Rebbe of Bahush, who explained to a rich man who had embarrassed a lowly orphan where he had gone wrong.

You no doubt assumed that when the Talmud states that one cannot embarrass *chavero,* his companion… that it must be prohibiting the embarrassment of someone of similar standing to yours, thus permitting one to embarrass someone who is less respected. However, you are utterly wrong. The rule applies even to the most despised individual. The proof is that the source of the prohibition is the case of Tamar, who avoided embarrassing Yehuda, even though, had he not confessed, he would have had the blood of an innocent woman and her two unborn children on his hands! Could there be a more despicable person than one who would do such a thing? Nevertheless, she resisted! If so, it is preferable to be thrown into a fiery furnace rather than embarrass anyone, even the most despicable person.

Simply stated, the severity of embarrassing another is clear from the analogy to homicide, an act which is prohibited no matter what level the victim is on. However, there are at least two more aspects to the crime of embarrassing others: one focuses on the affront to God and the other relates to the negative aspects of a personality involved in this activity. In other words, mortifying others may be fatal to one’s own character.

**Affront to God**

There may be another reason way to understand this prohibition’s severity. The Talmud in *Sanhedrin* (99a) notes that the five transgressions mentioned in *Avot* are all included in the pronouncement, "for he has scorned the word of God” (*Bamidbar* 15:31). Rav Hirsch (*Avot, ad loc*.) explains that the acts listed all show a disdain for the word of God, as each relates to an affront to one of the five sacred institutions which realize of the word of God in this world. In terms of our issue, he writes:

Embarrassing others is the most gravest of all sins against the dignity and nobleness inherent in every human being by virtue of the fact that he has been made in the image of God.

Along the same lines, the Me’iri notes that one who embarrasses others shows an ethical flaw; it is indicative of a grievous lack of basic human decency. God has not tolerance for such behavior, and He has no place for such individuals in the World to Come.

Similarly, the Tiferet Yisrael (*Avot* 3:15) explains:

Those who embarrass others accept divine creation, but deny that man was created in the image of God. Therefore, they think nothing of embarrassing their fellow man. The entire concept of human dignity is predicated on the belief of a divinely-endowed soul.

If so, *halbanat panim* is not only a capital offense against another; it is an affront to God because it acts as a statement against the image of God within man; the offender’s Godly image becomes distorted and discolored by a cowardly act of embarrassment. (See also *Torah Temima* on this verse.)

Interestingly, the verse “He who spills the blood of a person *ba-adam* his blood shall be spilled” (*Bereishit* 9:6) is somewhat ambiguous: as “*ba-adam*” could mean “by a person” or “in a person”. The Alshikh takes this in the latter sense, as referring to one who humiliates another, thereby “spilling blood” internally.

Do not be surprised that one can incur capital punishment even though he has not actually ended a life. Has not a person’s face been created in the image of God? Without it, he would be comparable to an animal! Therefore, he who makes the face blanch, wherein the image of God resides, is deserving of death, for he has blemished the site of the image of God.

Rav Shlomo Aviner goes as far as to impute literal significance to the analogy to homicide, citing a medical authority who is of the opinion that the physiological effects of humiliation may indeed shorten one’s lifespan (cited in *The Right and the Good*).

**The Power of Blushing**

One of Mark Twain's famous quips (in *Following the Equator*, 1897) is "Man is the Only Animal that Blushes. Or needs to.” This highlights a rather fascinating aspect of man's personality. On the one hand, when embarrassed, people blush, but blushing is also an expression of the shame people feel when doing something they know to be wrong.

Though I have strong doubts as to whether this was Twain's true intention, his words might express an important truism about our behaviour. Fear of embarrassment is often a healthy aspect of one's personality; when cognizant of the fact that misbehavior might lead to shame, one might think twice before doing something one may regret later. On the other hand, blushing is also man's response to humiliation inflicted by the outside world, an expression of the human inability to cope with being shamed by another. Blushing is therefore either a part of one's arsenal for becoming a better, more cautious individual or a weapon used against others to make a point at the victim’s expense.

By thinking about the severity with which the Torah views *halbanat panim* — shedding the victim’s blood, insulting God and blackening one’s own personality — one may train oneself into using blushing as a positive means for self-improvement rather than as a bludgeon aimed at others.

In the next lesson, we will seek to understand other aspects of this prohibition, including whether martyrdom is really called for in the face of causing embarrassment to another.