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 #11: The Implications of Preventing Embarrassment**

**To What Degree?**

In last week's lesson, we introduced the prohibition of embarrassing others (*halbanat panim*) and highlighted the efforts one must take to avoid putting others in uncomfortable positions. The parameters of the prohibition play an important role in defining the unique elements of the Torah's outlook on interpersonal relationships.

The Chinnukh (Mitzva 240) explains the rationale of the prohibition:

The root reason of this precept is self-evident, for shame causes great anguish to human beings; indeed, there is none greater. Therefore, God forbids us from inflicting excessive anguish upon His creatures; after all, it is possible to give rebuke when they are alone, as there will not be as much embarrassment.

Similarly, the Mishna (*Avot* 3:15) makes explicit reference to the severity of embarrassing others publicly, listing it among five acts which cause one to forfeit 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.”

The severe prohibition of embarrassing others is indicative of the Torah's understanding of the inner world of emotions and human character. Because embarrassment carries with it such anguish, as the Chinnukh explains, God issues a strict prohibition against causing it.

However, this is only the tip of the iceberg. We must go deeper to fully understand the ramifications of this mitzva. What are the affirmative measures which one must take to avoid violating this prohibition? What steps must be taken to ensure one doesn't embarrass another, even in the slightest? Up to what point must one be willing to forgo benefit or even accept harm so as not to hurt another? Ultimately, the question that has to be dealt with is the following: are there any circumstances in which the prohibition may be overlooked or put aside for what would seem to be the greater good?

**Caring for Inanimate Objects and Losing Our Balance**

Embarrassing others is a common occurrence. A pithy one-liner may be on the tip of one's tongue, and there is only a split second to decide if one should let it out and be rewarded with the laughs of the crowd or keep quiet for fear of shaming another. For this reason, it seems, Judaism feels the need to reinforce our sensitivity to the feelings of others by elevating the treatment of inanimate objects.

The precedent for treating lifeless objects as if they have feelings is biblical, as the Torah commands:

And you shall not ascend with steps upon My altar, so that your nakedness shall not be exposed upon it. (*Shemot* 20:23)

Rashi explains this fascinating mitzva with the description:

“So that your nakedness shall not be exposed” — due to the steps, you must widen your stride, although it would not be an actual exposure of nakedness, as it is written: “And make them linen pants” (Shemot 28:42). Nevertheless, widening the strides is close to exposing nakedness, behaving toward [the stones] in a humiliating manner. A fortiori, if the Torah says that you must not behave in a humiliating manner towards these stones, which have no intelligence to object to their humiliation, how much more so does your fellow, who bears God’s image and who does object to being humiliated, require consideration!

This biblical teaching, as explained by Rashi, finds expression in numerous laws which require us to treat inanimate objects with respect, with the hope that we will take to heart the analogy to human beings. In fact, we find that Halakha prohibits embarrassing inanimate objects.

On Shabbat, the two loaves of challa used for the Shabbat meals are covered during the recitation of *Kiddush* over wine. There are a number of opinions recorded as to the reason behind this practice. Both the Rosh (*Pesachim* 10:3) and his son the Tur (*OC* 271) quote a passage from the Talmud Yerushalmi (not found in our versions) which provides a fascinating reason, explaining that we do this “so that the bread will not see its embarrassment." Normally, one would recite the blessing over bread before the blessing over wine, as this is the order in *Devarim* 8:8, but the order is reversed on Shabbat. Fearing that the bread might be “embarrassed” about not receiving its usual precedence, we cover it, so that it will not witness its shame.

Presumably, the idea of preventing the embarrassment of challa is meant to show our care even for inanimate objects and to inspire us to recognize that certainly we should be careful regarding those created in the image of God. However, it is much easier to worry about covering the challa than to ensure we treat others with their due respect. In fact, sometimes we lose sight of where the real importance lies.

A story is told about the Chafetz Chayim (I personally have heard similar stories told of others as well), who was invited to the home of a local Jew on his travels to other communities. Knowing that they were having an important guest, the hosts ensured that everything in the house would be perfect. Understandably, much of the workload fell on the wife. As the husband returned home from prayers with the Chafetz Chayim, the smell of the Shabbat meal was enticing, and the table was truly immaculate. However, there was one thing missing: the challa lay on the table, uncovered. The husband, afraid to be considered an ignoramus by the great Chafetz Chayim, looked for his wife. He found her asleep on the floor, exhausted by the preparations for Shabbat. Rather than thank his wife for outdoing herself, he scolded her: “Don't you know we cover the challa? How could you forget?"

The Chafetz Chayim, who was famed for his consideration of others, was not bothered by the uncovered challa; rather, he was taken aback by the callousness with which the husband had treated his wife, specifically under these circumstances. The Chafetz Chayim asked the husband, "Why is it that we cover the challa?"

The husband, wanting to show off his knowledge, explained with pride, "Why, it is so the bread will not see its embarrassment."

The Chafetz Chayim continued, "Exactly. But what embarrassment does the bread feel compared to the embarrassment of flesh and blood? What of your wife, who has slaved over preparing a meal that you intended to make you look hospitable? If the bread must not be embarrassed, how much more so must you care about your wife's embarrassment! It would be best to trade your contempt for praise; commend your wife for outdoing herself."

Essentially, our concern is not with the inanimate objects’ feelings, but with our personalities, trying to ingrain within us feelings of care and compassion. Despite the difficulty of maintaining the balance, this endeavor is essential.

The challenge of keeping our equilibrium regarding this prohibition of embarrassing others may lie behind the Torah's choice of a textual location for it. After all, the source of the prohibition (as described in the previous lesson) is in the context of an individual, without malice, attempting to rebuke another who is sinning and return the offender to the path of righteousness. Intentions aside, one is prohibited from rebuking others in a way that would cause them *halbanat panim*. One must balance the responsibility to care about others’ actions with the requirement to maintain their dignity under all circumstances.

**Remedying Another's Embarrassment**

Besides one’s remaining silent when tempted to embarrass someone else, there may be another way to excel in caring about the honor of others and not causing unnecessary embarrassment. In a situation where another individual has done something embarrassing, one has almost a knee-jerk reaction to laugh. It takes a lot of hard work to train oneself not to make a big deal of another's embarrassing mishap, but there is a higher level of behavior, as exemplified by Rabbi Akiva Eger.

The story goes that Rabbi Akiva Eger once had a poor man over to his home as one of his many Friday night guests. The Shabbat table was adorned with a beautiful white tablecloth. During the meal, as the poor man lifted his glass of wine, it accidentally slipped out of his hand and stained the pure white cloth. Seeing the poor man squirming in embarrassment, Rabbi Eger immediately knocked over his own glass of wine, "accidentally" spilling it over the tablecloth. As the poor man looked on in great relief, Rabbi Eger remarked, "It seems as if the table is very shaky, isn't it? I must apologize! We are going to have to have it fixed."

The behavior of Rabbi Akiva Eger underscores the outlook of one who has come to appreciate the Torah's concern for the embarrassment of others. Instead of worrying about his dirty tablecloth, he focuses on the mortified guest, forgoing his own honor in order to prevent another's shame.

Similarly, when Moshe Rabbeinu began his final speeches to the Jewish people near the end of his life, including historical moments of the Israelites’ sojourn in the desert, he does so very tactfully. As Rashi (*Devarim* 1:1) explains:

Since these are words of rebuke and he enumerates here all the places where they angered God, therefore it makes no explicit mention of the incidents but rather merely alludes to them, out of respect for Israel’s honor.

The sins of the Jewish people are only hinted to, so as to ensure that no pain will be caused. This sensitivity of Moshe Rabbeinu to the feelings of others, even when trying to make a point, underscores how the prohibition is not limited to explicitly shaming others; the Torah precludes even being insensitive to those statements which might hurt another.

Along the same lines, the Talmud (*Bava Metzia* 58b) prohibits calling others by nicknames and tells of certain sages who were willing to conceal the identities of individuals involved in crimes in order to spare others unnecessary embarrassment. (See also *Sanhedrin* 11a.)

**The Big Three or Four?**

In last week's lesson we made mention of a number of sources which seem to compare *halbanat panim* to homicide. The changes in others’ complexion due to rushing blood leads the Talmud (*ibid*.) to view embarrassing others as akin to bloodshed.

The Talmud continues by stating, “It is preferable to commit an act of potential adultery rather than publicly mortify one’s companion.” The Talmud relates that King David himself, despite being a king, was embarrassed about his past actions and explained how one who embarrasses others publicly has no place in the World to Come. The most startling expression of this idea is found in the next passage, which seems to say explicitly that one should give up his or her life rather than embarrass another.

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 literal understanding of the passage would seem to insinuate that one must give up one's life rather than embarrass another, since *halbanat panim* is viewed as akin to murder. The gravity of this statement is startling and possibly of tremendous halakhic significance. For this reason, the commentators deal with the question of whether this statement is to be taken literally.

Certainly, a number of commentators cite this statement as hyperbolically emphasizing the severity of the prohibition, expressed by the Talmud with no intention of it being taken literally. While certain latter-day authorities only cite the Me’iri (*Berakhot* 43b, *Sota* 10b) in this context, it clearly appears that a number of authorities, such as the Chinnukh, view it as a mere admonition.

Similarly, the Rambam and Shulchan Arukh include no explicit mention of the need for martyrdom in this scenario.

However, other great authorities seem to understand the requirement for one to give up his or her life rather than embarrass another quite literally. Besides the Rif, who cites the Talmud verbatim, seemingly ratifying its authoritativeness, Rabbeinu Yona (cited last lesson) seems to explicitly state this in his commentary on *Avot* (3:15) and in his work *Shaarei Teshuva* (3:139).

The difficulty associated with this understanding is that it is generally accepted that only three issues require martyrdom, the prohibitions of murder, idolatry and illicit relations. Why is embarrassing others not mentioned in this list? This question is asked by Tosafot (*Sota* 10b), and their explanation as to why there is no fourth requirement seems to accept the premise of the question, that one must in fact give up one's life so as not to violate the prohibition.

Tosafot explain that it is not recorded in the list because it is a prohibition not mentioned explicitly in the Torah, and the list of three only records explicitly-mentioned prohibitions. Rabbeinu Yona, on the other hand, seems to understand that it is actually recorded on the list; after all, if embarrassing others is akin to murder, then it should be subsumed under that category! He thus refers to it as resembling murder.

With the substantial sources that seem to accept the line literally, a number of authorities (see *Binyan Tziyon* 172 and *Minchat Shelomo* 7) reevaluate the rulings of the Rambam and Shulchan Arukh, understanding their view as accepting the position which requires martyrdom.

Implications of this idea are even found in a number of responsa which argue that if the connection between homicide and *halbanat panim* is accepted literally, then it will have other implications for the way in which we view murder. Some analyze whether a *kohen* who embarrasses another might be prohibited from reciting the priestly blessing, just as a murderous *kohen* is sidelined. Others discuss the possibility of waiving one’s right not to be embarrassed. If it truly akin to murder, no one has the right to permit oneself to be murdered, and thus shaming would be universally prohibited as well. (See Rav Daniel Feldman's *The Right and the Good* for extensive sources on this topic.)

**Preference and Precedence**

Nevertheless, assuming that the prevention of public embarrassment requires martyrdom is rather novel, and there is reason to believe that even the Rishonim who mention the concept did not mean for it to be taken literally. Rav Asher Weiss (*Minchat Asher, Bereishit* ch. 53) notes that if we were to accept the axiom literally, we would we have to kill someone to prevent that individual from publicly humiliating another if there is no other way to stop him, something he finds untenable. He, therefore, reexamines all of the sources requiring martyrdom and tries to explain why that is not their true meaning.

He, like others, points out that the language of the Talmud never explicitly mandates giving up one's life; rather, it only says that it would be “preferable” for one to do so.

In fact, the Talmud (*Ketubot* 67b) relates the story of one sage who seems to take the concept literally. Mar Ukva and his wife secretly put money by a poor man's door daily. One day, the receiver decides to stake out the site in order to see who his benefactor is. When Mar Ukva and his wife notice the man emerging from his hiding place, they run so as not to be noticed and embarrass the recipient. They see a still-hot furnace and jump in, and Mar Ukva's legs are singed by the fire.

Still, the Brisker Rav is quoted as noting that our Sages never explicitly say that one must throw himself into the fiery furnace rather than embarrass another. Rather, they say that it would be better for one to do so, as the fiery furnace is easier on a person than the punishment for embarrassing another publicly. Mar Ukva and his wife thus opt for the more bearable act.

Similarly, Rav Asher Weiss explains that one should be cognizant of the severity of embarrassing others; the price is not worth it, and indeed it would be preferable to give up one's life, even though one should not actually do so (and it may very well be forbidden). However, in *Minchat Shelomo* 7, we find a view that there still may be some halakhic implications for the opinion that requires martyrdom.

**The Power of *Teshuva*** (**Repentance**)

The severity of the prohibition of embarrassing others is expressed clearly in *Avot*. The Mishna states there that one who has embarrassed others will not be saved by his good deeds and has no place in the World to Come.

However, some Mishnaic commentators point out that this is all assuming that one doesn't repent, as there is no act for which *teshuva* isn't helpful.

This raises another question: how may one do *teshuva* for embarrassing others? Firstly, people don't recognize the severity of the crime and are therefore negligent in trying to fix the wrongs of the past. Secondly, one who does realize his crime often finds it very difficult to remedy, especially after having embarrassed others in public.

Rabbeinu Yona explains that though, in his view, humiliating others is a subcategory of murder, it may even be worse in this aspect. A murderer has committed a crime that is universally acknowledged as horrendous, and society instantly will register its complete rejection of the act.  Consequently, the killer will recognize the gravity of the crime and will repent fully. Having done so, the killer will continue to bear the responsibility for his or her actions in this world, but this individual will ultimately achieve atonement, and the eternal punishment will be suspended in the World to Come.  However, a person who embarrasses others may not be chastised comparably, and thus the sinner will not realize the gravity of the transgression.  Though *teshuva* works, one may not realize its necessary scope and power in this context. Thus, one who shames others may easily end up without an eternal share in the World to Come.

The Rambam, in his commentary on the Mishna, explains the severity of embarrassing others differently. The propensity to shame others is indicative of a negative character; one who does so harps on others’ insecurities for his or her own needs. Therefore, one who embarrasses others has to do a complete personality overhaul in order to truly repent.

The Iyun Yaakov (*Bava Metzia* 59a) comments on the Talmud’s statement that it is preferable to commit an act of potential adultery rather than humiliate another, highlighting another aspect of this transgression. In his opinion, martyrdom is an option rather than an obligation, a recommendation based on the severity of the punishment. This penalty is greater than that for adultery, as the Talmud implies, because adulterous tendencies are a normal part of the human makeup.  Humiliating others, however, is not an innate human tendency, and thus its egregiousness is not mitigated by the realities of mortal weakness. Therefore, it is treated very harshly.

The Penei Yehoshua (*Bava Metzia* 58b) offers another possibility in the name of the Tosafot Yom Tov, citing the Midrash Shemuel: one who embarrasses another and strips away his or her sense of dignity violates *tzelem Elokim*, the image of God in which every human is created, as noted in our previous lesson in the name of the Alshikh. It is this divine image that reflects the soul.  One who displays a disregard for this image, therefore, undermines his own conception of a soul. The Tikkunei Teshuva expresses a similar notion, ruling that one who humiliates others must fast as atonement; acquiring the forgiveness of the injured party is not sufficient. This builds on the assumption that here we have more than an interpersonal crime; an attack has been committed against God himself through the vehicle of the divine image. This is a concept that has groundings in Midrashic sources.  Rabbi Tanchuma (*Bereishit Rabba* 24:7), in a discussion of the severity of humiliating others, is quoted as remarking, “Do you know Whom you are disgracing? ‘In the likeness of God, He made him’ (*Bereishit* 5:1)!”  Further, the Talmud (*Berakhot* 18a, etc.) derives significant halakhic principles from the verse (*Mishlei* 17:5) “He who mocks the poor blasphemes his Maker.”

One who lives for the moment is often capable of embarrassing others without a second thought. Understanding that it isn't worth it involves delving into the human thought-process and simultaneously understanding that others' feelings must be taken into account.

Even if we adopt the generally-accepted position that there is no actual requirement to give up one's life rather than embarrass another, we certainly should recognize the severity of *halbanat panim*. There are certainly individuals who would rather choose death than be embarrassed, and the pain of humiliation may haunt the victim for a long time. The easiest way to deal with this is to focus on personality development, which can help combat the temptation to embarrass others. However, if one identifies this trait in oneself, the underlying principle remains: there is no act for which *teshuva* is not helpful.