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ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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

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**Shiur #03: Protecting Reputations**

**The Importance and Power of One’s Reputation**

In last week’s lesson, we discussed the requirement to judge others favorably (*le-khaf zekhut*), as derived from the verse “*Be-tzedek tishpot amitekha*” (*Vayikra* 19:15). To better understand what is at stake when one passes judgment, i.e. the ramifications of passing a favorable or unfavorable judgment upon others, we will first discuss the nature of reputations in Jewish thought, both one’s own and that of others. Doing so will enable us to appreciate the parameters and rationale of the obligation to judge others favorably. After all, viewing another’s actions in a positive or negative light is sure to impact one’s outlook on one’s peers, in turn affecting their reputation and public image. On the simplest level, it can cause damage to others. If one sees another engaging in suspect behavior and passes judgment upon him, he may lose business — that of the one who has observed him, possibly that of others who learn of the action as well. In some cases, the results of unfavorable judgments may be devastating; one may lose his or her whole social standing.

An analysis of the sources will reveal that reputations are a significant consideration in Jewish thought. Indeed, the requirement to judge others favorably is dependent, in part, upon whether the individual in question has a good reputation or not. Still, one may wonder: are not reputations merely the exterior manifestation of a person’s character? They clearly are not always synonymous with the true character of an individual, as numerous swindlers and fakes acquire undeservedly positive reputations. Furthermore, there are sources which praise the hidden *tzaddikim* of the world, the unknown righteous individuals who embody to the world simplicity and unimportance but are the pillars of the universe (see *Sukka* 45b). Jewish tradition praises humility and introspection; how, then, can one give credence or attention to building a reputation?

Analyzing the sources will indicate that while achieving a decent public image is not the focus of Jewish tradition, Judaism certainly does not take the issue of one’s reputation lightly. Understanding the meaning of the term “*shem*” will help us understand why.

***Shem:* The Power of the Name**

The word “*shem”* literally means name, but it connotes far more than that; while a name technically identifies an individual or organization, it also reflects a public persona. It is understood that often far more important than the title on the letterhead is the “name” the individual or organization has in the world, a reputation for honesty, integrity and quality — or the lack thereof. It is this reputation which allows one to succeed if it is positive; conversely, one who is of ill repute is often doomed to failure.

While image-building and status-seeking are antithetical to the Torah’s teachings stressing humility, the image the community has of an individual will determine the degree to which his teachings will be heard. For this reason, concern for one’s image and reputation, if taken in proportion, is not always a sign of an insecure ego. The impression society has of an individual determines his standing and his ability to affect others. It is the individual who is accepted as the authority on any subject — be it finance, investments or the weather — who gets others to listen. A small comment by Warren Buffet can affect world markets, not necessarily because he knows more than others, but because he has the reputation of being “on the money”.

One should certainly be more concerned with one’s character than one’s reputation “because your character is what you really are, while your reputation is merely what others think you are” (attributed to [John Wooden](http://www.brainyquote.com/quotes/quotes/j/johnwooden163015.html)). However, though we recognize that one’s reputation means little in terms of the true character of an individual, it is a fact of life that the way people are viewed opens and closes opportunities. It is one’s reputation that is the yardstick by which people view an individual, and Halakha recognizes its importance. While Judaism rejects the practice of winning friends and influencing people in order to create an undeserved reputation for exemplary behavior, the Torah nevertheless wants those who in fact are sincerely altruistic individuals to be known as such, thereby influencing society for the better.

If forced to decide between choosing what is right and proper or wrong and popular, we must choose that which is right; nevertheless, we should not go to the extreme of not caring what others think of us as long as we are doing the right thing. Doing so diminishes ourselves and our influence on others, and it is liable to have a bad effect on the onlookers.

For a Jew, this concept is even more important. The Torah states: “And all the nations of the world will see that God’s name is called upon you” (*Devarim* 28:10); thus, the way in which we are viewed is liable to affect the way God is construed by others. For this reason, we find that our forefather Avraham sets out to endear God among the masses by calling in the name of God, teaching the world about the greatness of God via His *shem,* (*Bereishit* 12:6, 28:25), because the way in which they view God will determine their willingness to listen to His commands.

The Talmud (*Yoma* 86a) states that one of the ways of loving God is “that the Name of Heaven shall become beloved by your hand.” The Talmud explains that this is accomplished when one who is associated with Torah Jewry acts in a positive manner and leads others to want to share that way of life. By continuing the work of Avraham Avinu, we in fact build and improve God’s reputation in the world. This is a fulfillment of the all-important mitzva of *kiddush ha-shem*, sanctifying the name of God. (See the Rambam’s *Sefer Ha-mitzvot,* Positive 9). Building one’s character in a way which is a tribute to one’s name and all that one identifies with not only improves one’s own *shem*; it improves that of God as well, a great *kiddush ha-shem* in the truest sense of the term.

***Keter Shem Tov,* the Crown of a Good Name**

The power inherent within attaining a good name and reputation is seemingly the heart of a *mishna* in *Avot* which refers to the one who possesses a “*shem tov,*” a good name, as being adorned with the ultimate crown.

The Mishna (*Avot* 4:13) states:

Rabbi Shimon says, “There are three crowns, the crown of Torah, the crown of priesthood, and the crown of kingship; but the crown of a good name (*keter shem tov*) exceeds them all.”

The Rambam explains that these three crowns are the three unique honors given to different people in the nation of Israel: priesthood is given to the descendants of Aharon and kingship to the progeny of King David, but the crown of Torah is available for anyone who desires it and pursues it.

However, the commentators are bothered by a clear-cut problem in the *mishna*. It begins by stating that there are three crowns, but it concludes with the mention of a fourth one, the crown of a good name. Which one is it? Are there three or four crowns?

The Rambam explains that the crown of a good name comes from the Torah, as the scholar who performs that which is written in the Torah will attain a genuinely good name as well. However, Rav Ovadya Bartenura explains this differently, focusing on the power of one who has garnered for himself a positive reputation.

“The crown of a good name” — this refers to one who exhibits exceptional behavior and does good deeds; he therefore has a sterling reputation due to his actions… This is greater than all the other crowns, for the other three crowns require it: if he is a Torah scholar with a bad reputation, one is permitted to scorn him (*Megilla* 25b)…

Rav Ovadya Bartenura goes on to cite Talmudic sources that set down similar rules for priests and royalty: they deserve honor only if they behave in a respectable manner. Similarly, the Me’iri explains that one should not be overly proud of the crowns that he has acquired, but:

The crown of a good name is acquired via constant acts of kindness and uprightness, sanctifying the name of God and His Torah.

It is the way in which a scholar or other great official is known to the community, through his actions and attitude, that really carries with it significance. For that reason, despite the shallowness of some reputations, the *keter shem tov* is greater than all other crowns, because that provides for the image that enables one to have influence upon others.

Rav Yosef Alashkar, in his commentary *Mirkevet Ha-mishneh,* goes one step further, explaining that without a good name and reputation, anyone who ostensibly has one of the other crowns is revealed to be bareheaded, as it were.

One’s reputation determines if his other crowns are worth anything, because a venerable position without an honorable character is a disgrace to its holder, and one’s reputation determines if others see him as worthy.

**Eliminating Gossip**

The importance of developing a good name also results in the prohibition of certain actions which might be interpreted by others as improper. In two places (*Yevamot* 24b, *Ketubot* 22b), the Talmud expounds the same verse to ban (ab initio) marriages which have the appearance of impropriety. The verse (*Mishlei* 4:24) states:

Take crooked speech away from yourself, and put devious lips far away from you.

Rashi explains:

Do not do anything for which people will slander you and make their mouths crooked when talking about you.

Rashi adds that the “devious lips” are those of people opening their mouths wide when speaking about one, and the Metzudat David explains that they will hint to their companions by making their mouths crooked.

Essentially, this verse seems to be used as a source for avoiding actions that will lead others to gossip about one. No one wants to be the topic of gossip, but here actions which are likely to lead one to be the talk of town should be shunned so as to maintain one’s good name.

***Chashad:* Avoiding Even the Appearance of Impropriety**

The principle of being careful about the way one’s actions may be interpreted by society may be applied in a number of ways. Two Talmudic terms are used regarding the importance of acting in a way that will not be misconstrued by others, *marit ha-ayin* and *chashad*, literally “appearance to the eye” and “suspicion”. Though the concepts may seem identical, at first glance, they are in fact very different.

The first, *marit ha-ayin*, relates to publicly doing something permissible that resembles something which is prohibited; we are concerned that onlookers may see someone doing the permitted thing, think the person is doing the other act and therefore conclude that the other act also is permissible. Here the fear is that misinterpretation of one’s intentions and action will lead others to think that certain prohibited actions are allowed.

The second term, on the other hand, *chashad,* is much more significant for our discussion. *Chashad* relates to a similar case of publicly doing something which is permissible but resembles something which is prohibited; however, in this case, we worry that the onlookers will assume that the person is in fact doing the prohibited act and is not as religious as he or she appears to be. *Chashad* is a reason to shun certain actions in order to protect one’s reputation, so that onlookers will not think of him as a sinner.

The source for not doing permissible actions for fear of being considered a sinner seems to be biblical in nature.

The Mishna in *Shekalim* (3:2) explains:

Man is obligated to do his duty to man as he must do his duty to God, as it says “And you shall be cleared before God and before Israel” (*Bamidbar* 32:22); and it further says, (*Mishlei* 3:4) “And find favor and good understanding in the eyes of God and man.”

The Yerushalmi on the *mishna* explains that this concept of preventing others from accusing one of illegitimate behavior is repeated in the verses of the Torah, the Prophets and the Holy Writings, evidently expressing its significance.

The context of this verse is Moshe Rabbeinu’s discussion with the tribes of Gad and Reuven, who ask to be allowed to stay on the eastern side of the Jordan. Moshe provides them with the requirements to do so, such as leading the Jewish people in war to conquer the Land of Israel, and he then adds that by fulfilling these requirements, “And you shall be cleared before God and before Israel” — they will then have acquitted themselves in the eyes of not only God, but the Jewish people as well. The Mishna uses this source as a general principle that one cannot merely consider how God, Who knows the truth, views one’s actions; one must also take into account the impression these actions will make upon those who observe them. Suspicious activity, which is liable to tarnish one’s reputation, is therefore prohibited.

The Talmud cites the issue of *chashad* in this verse as the source for numerous actions that should be avoided for fear of their being misconstrued. For this reason, some commentators permit one to forgo certain positive acts if doing so might cause others to accuse them of misbehavior (see *Piskei Teshuvot*, *OC* 156:22). Understandably, if protecting a reputation is so important, one must be willing to defend one’s image if it is unduly tarnished.

**The Need to Protect One’s Own Reputation**

The Talmud (*Berakhot* 31a) expounds on the story told at the beginning of *Shemuel* I regarding the righteous Channa’s intense prayers for a child. Channa’s fervent *tefilla* makes her appear to Eli, the High Priest, as a drunken woman. Yet after he confronts her, “How long will you go on being drunk? Put your wine away from you” (1:14), Channa does not stand silent. Instead, she responds that she is not drunk but merely grief-stricken. The Talmud cites this as a source for how one improperly accused should respond:

Rabbi Elazar said: “From this we learn that one who is suspected wrongfully must clear himself.”

The Torah Temima (*Bamidbar* 32, n. 4) explains that “And you shall be cleared” is not a sufficient source, because we might have thought that it is good advice, *eitza tova*, but not an obligation. The verse about Channa, however, teaches us that one is not allowed to let his or her name be tarnished improperly.

While sometimes it is understandably uncomfortable to try to clear one’s name from alleged wrongdoing, it is not just beneficial, but obligatory. How to do so is a different question, as usually one would not be able to implicate others in order to clear one’s own name (see *Shemirat Ha-lashon* 10:31). However, the need to protect one’s reputation is an essential element of building a *shem tov* and therefore in need of safeguarding.

**The Practical Spiritual Benefits of a Positive Reputation**

The importance of caring about one’s reputation seems to also have another very practical element. One who is worried about losing his good reputation is likely to think twice before performing an action that one is tempted to do. The great Rabban Yochanan Ben Zakkai (*Berakhot* 28b) blessed his students before his death: “May your fear of Heaven be equal to your fear of flesh and blood.” When his students gasped in disbelief, “Is that all”? Rabban Yochanan explained that when one is contemplating sin, one first looks around to see if anyone is looking. If one would fear God accordingly, knowing He is looking at their actions, then one would think twice.

With an understanding that people often forget that God is constantly watching but are aware of the impact their actions might have on their names, caring about one’s reputation is beneficial for avoiding sin. This may be inherent in the verse, “And you shall be clearedbefore God and before Israel.” First, the Torah indicates that one’s actions must befit the presence of the Omnipresent, but even if one does not succeed in being fully pure, one should at least do the right thing “before Israel”, so that other Jews may notice one’s actions and judge one accordingly. Maintaining a good reputation is therefore conducive to maintaining proper standards of conduct. Fear of losing one’s positive reputation is often the anchor that ensures that people uphold propriety even when they are tempted otherwise. The aforementioned Warren Buffet put it this way: “It takes 20 years to build a reputation and five minutes to ruin it. If you think about that, you'll do things differently.”

This explains a fascinating *halakha*, found in *Chosen Mishpat* (34:18): one who performs embarrassing behavior in public and is unconcerned with his reputation is barred from testifying in court. The commentators explain that one who does not care about his reputation will not be afraid to testify falsely, for the negative publicity and ill repute that will be generated do not concern him. Caring about one’s reputation is essential.

This might also explain the prohibition for one to say *lashon ha-ra*, derogatory speech, about oneself. One cannot be overly humble, willing to allow one’s reputation to be diminished unnecessarily. Rav Soloveitchik is quoted as explaining (see *Nefesh HaRav* p. 151) that people do not have ownership over their own reputations. They must not ruin their reputations, for to do so would affect not only them, but others as well.

**Defamation**

The Talmud (*Kiddushin* 28a) says something which, without the background we have derived from the aforementioned sources, would seem very difficult to understand.

We learnt in a *beraita*: “One who calls another a slave is to be excommunicated; one who calls another a bastard is to receive forty lashes; one who calls another a *rasha,* he descends upon his life.”

The commentators discuss what this final phrase, “*yored immo le-chayav,*” means; what license is given to the one who was called a *rasha* (villain) by another?

Rashi (*ad loc.*) understands that the offended party may attack the defamer’s livelihood by competing with him. The Ritva (*ad loc.*) explains that this is his just desert *midda keneged midda,* measure for measure; one is who called a *rasha* will lose the business of others, so in return the victim may undermine his attacker’s livelihood.

The Me’iri brings a startling explanation for the term “*yored imo le-chayav*”: the victim is actually permitted to hit the attacker, for this is the act of the wicked, as the verse states (*Shemot* 2:13), “And he said to the *rasha*, ‘Why are you hitting your friend?’” Tosafot in *Bava Metzia* (71a, *s.v. Adam*) quote from the Geonim that one is permitted to burn a third of the slanderer’s field.

Why do some opinions allow one to act destructively towards a defamer for merely calling him names? Do we not know that “sticks and stones can break my bones but words will never hurt me”? In truth, the Me’iri in *Bava Metzia* takes issue with the opinions that allow one to ruin another’s livelihood for calling him a *rasha*, but even he allows causing the attacker to suffer and rebuking him publicly. Why do we not just tell the victim to “let it go”?

Evidently, based on the sources we have presented, the power of one’s *shem tov* is so essential in determining how one is viewed and treated, that calling someone names in a way that would affect his good name threatens his wellbeing. (The Ritva says that people will not have dealings with him.) Therefore, the victim has the right to take the law into his own hands, possibly to the extent of causing monetary or even bodily harm. Injuring someone’s name is comparable to taking something material from them, and it affects them physically. Therefore, under certain circumstances (the delineation of which are beyond the purview of this lesson), the injured party may react accordingly.

**Falsely Suspecting the Innocent**

The importance of maintaining one’s positive reputation should be a guiding principle when looking into others’ actions. If one is so careful with his or her own image for all the right reasons, one can understand that falsely accusing another, certainly in a way that might impact his or her reputation, can be of grave seriousness. One must be extremely careful with the reputations of others, and one must not be too quick to vilify others. Some individuals get much of their exercise by jumping to conclusions and accusations. Wrongly suspecting the innocent is treated by Halakha with extreme severity because one’s reputation is empowering.

The Talmud (*Shabbat* 97a) states:

Reish Lakish taught: “One who suspects the innocent will ultimately come to bodily harm.”

The Talmud explains that unlike other cases of sin, in which one’s money will be struck before his body, suspecting the innocent earns one a direct bodily punishment. The Rambam (*Hilkhot Teshuva* 4:4) lists suspecting the innocent as one of the twenty-four things which “hinder repentance”.

The source for Reish Lakish’s statement is the example of none other than the greatest of all Jewish leaders, Moshe Rabbeinu. When Moshe voices his suspicion that the Jewish people will not heed God’s call for freedom, his hand becomes “leprous as snow” (*Shemot* 4:6).

As we mentioned above, the Talmud (*Berakhot* 31b) explains that Eli’s false accusation of Channa is a case of suspecting the innocent*.* However, the Talmud points out that afterwards, Eli blesses Channa, which is a requirement for all.

Rabbi Elazar said “From here we learn that one who suspects his friend of something he has not committed is required to placate him and also bless him.”

One who does falsely accuse another must correct this with a blessing, and certainly, if responsible for negative publicity, the accuser must do all in his or her power to clear the other’s name. It is Eli’s blessing to Channa that helps her bear Shemuel the Prophet, and in situations where ordinarily people voice false accusations, the responsibility is incumbent upon them to help the accused.

Though the prohibition is quite severe, it is often easy to violate this principle. Careful attention to one’s own reputation should be a yardstick for how one tends to the name of others. To the degree one is careful to maintain his or her own *shem tov*, one must be at least equally careful not to ruin that of others.

**The Ultimate Dilemma**

While not jumping to conclusions in accusing others is of extreme importance, it clearly has its limitations. What is one to do if faced with another performing suspicious activity despite a sterling reputation? Can one’s desire to protect another’s reputation be reason enough to overlook behavior which might be detrimental or dangerous to a third party?

This is one of the greatest dilemmas in Jewish communal work. Sometimes, it is the most upstanding members of the community who are involved in suspicious behavior. Allegations may have already been made against individuals in the community. Must one protect the reputations of the accused at all costs, or may one “call a spade a spade”? What if the desire to protect a reputation and judge one’s fellow favorably may lead one to endanger others?

Obviously, when there is concrete evidence against a perpetrator, one must treat him as a guilty party. Unfortunately, rarely does one have such clear proof. In order to arrive at some conclusions of when one involved in suspicious behavior must be given the benefit of the doubt and when not, we must look into the obligation of judging others *le-khaf zekhut*: when does it apply and to whom does it apply? Next week, we hope to delve into these issues and answer these questions.