



FORGIVENESS FOR LASHON HARA: REPARATIONS, REPENTANCE & REDEMPTION

An oft-told story involves a man who came to his rabbi to seek advice on how he can repent for the offense of speaking *lashon hara*. The rabbi advised him that it is indeed possible, albeit complicated. He instructed him to take a pillow - the old-fashioned kind, with feathers inside - and to cut a hole in it and then walk around his town, allowing the feathers to escape from the pillow. Having done that, he returned to the rabbi and asked him for the next instruction. The second step was significantly harder than the first: "now pick up all the feathers".

The message was, clearly, that *lashon hara* is uniquely challenging for the penitent. As has been noted, one explanation for the particular severity attributed to *lashon hara* has to do with the impediments to repentance, restitution and repair.¹ Indeed, much

literature is devoted to assessing what can be done after the offense of *lashon hara* has taken place.

One question is whether any restitution is due to the victim. On this front, there is not much to be done, as this offense is generally not enforceable by a rabbinic court through the collection of damages. Damages that are inflicted indirectly are generally not actionable, and *lashon hara*, even when it has a significant negative impact, causes its harm indirectly.

The code of Jewish law, the *Shulchan Arukh*,² rules that one who embarrasses another with words should be excommunicated until he appeases the victim, and R. Moshe Isserles, in his glosses,³ emphasizes that slander is included in this category. Despite

the basic exemption from monetary damages, the victim may legitimately condition his forgiveness on some kind of restitution.⁴ Indeed, throughout the generations, rabbinic courts and individual authorities have considered the question of what actions should be taken against specific perpetrators of disparagement and slander, and have acted accordingly.⁵ In 1965 (with later emendations), the Israeli government, basing itself on the values of Jewish tradition, passed a law that imposes penalties, including imprisonment, for acts of *lashon hara* against another.⁶

However, the question of monetary compensation is actually the less vexing part of the equation; it is the appeasement that is significantly more challenging. As noted, the effects of *lashon hara* are far ranging and often

irreparable. As such, it is often not possible for the offender to come to the victim and claim he has resolved the issue and rectified the problems he has caused, and consequentially, it is understandable if the victim is hesitant to forgive what is essentially an ongoing offense.

Indeed, there is a view in the Talmud and brought in the later codes, that while it is considered "cruel" or even sinful not to forgive someone who is truly penitent, it may be acceptable not to forgive a slanderer.⁷ As the commentaries explain, attempts at rectification are unreliable; too many people may have heard the slanderous accusations but not the correction and apology.⁸ Regardless, it is still laudable and recommended to forgive nonetheless,⁹ but the justification of the hesitancy is instructive. (Presumably, these considerations are not limited to slander, but any of the set of interpersonal offenses that have irreparable consequences are subject to this balance.) Some authorities assert that if the speaker has made a sincere effort to correct his slander in the eyes of the listeners to the greatest intent possible, he indeed has a right to be forgiven.¹⁰

It should also be noted that if forgiveness from the victim is needed following an act of *lashon hara*, an additional factor is then present in the disparagement of a group of people, rather than an individual. In that case, obtaining forgiveness from all the victims is likely impossible, if it is even feasible to identify all of them.¹¹

Asking Forgiveness: The Controversy

However, there is another factor that is very significant in obstructing reconciliation in many cases of *lashon hara*, and it sits at the center of a major

dispute between two giants of Jewish ethical leadership.

One of the primary advocates of the active focus on character development, known as *musar*, was Rabbi Yisrael Salanter (1810-1883). Given this focus, it is to be expected that he would have strongly supported the efforts of the *Chafetz Chaim* in his writings. Nonetheless, according to several reports, he declined to give a written endorsement to the book. Apparently, while he agreed with the work's general message, there was one ruling in it that he felt he could not associate himself with, and that the risk was too great that his endorsement would be seen as concurrence with this ruling.¹²

This single controversial ruling concerns the question of apology and reconciliation following an offense of *lashon hara*. The Talmud teaches that repentance is ineffective for offenses committed against another person unless apology is made to the victim and forgiveness is obtained.¹³ As a general rule, at least the first part, the apology, is in the hands of the offender to do. However, *lashon hara* may present a unique challenge. It is usually expected that in apologizing, one is required to specify the offenses of which one is aware, rather than mouthing a general confession lacking any recognition of the particular manner in which harm has been done to the other.¹⁴ Often, the hurtful comments have been made outside the presence of the subject, who is blissfully ignorant. To apologize under such circumstances would mean the infliction of emotional pain on one who has already been the victim of malicious gossip. Is that warranted?

To R. Yisrael Salanter, the answer was clear. The Torah's strong prohibition against causing emotional suffering is the priority. The offender would have to find some other way to assuage his conscience and set things right; but to

do so at the expense of his victim was not acceptable. However, to the *Chafetz Chaim*, the issue was somewhat more complicated.

If the gossip was ineffectual, causing no apparent damage to the subject, the *Chafetz Chaim* agreed that there is little to be gained by informing the subject in order to obtain his forgiveness. However, if there was indeed harm inflicted by the speech, it would then be necessary to tell the subject what had been done and to apologize.¹⁵ Reportedly, R. Yisrael found this ruling so objectionable that he refused to associate his name with the entire book, despite its immense overall value.

The ruling of the *Chafetz Chaim* had a strong foundation, apparently based on an earlier statement of the great medieval ethicist Rabbi Yonah of Gerondi.¹⁶ Nonetheless, many of the later authorities seemed to be in agreement with R. Yisrael.¹⁷ It is reported that the famed R. Aharon Kotler, who founded and led the Lakewood yeshiva, asserted that R. Yisrael was qualified to argue with the rulings of the great medieval authorities due to his phenomenal expertise and prominence in these matters. Others endorsed R. Yisrael's position while interpreting the view of Rabbi Yonah as being in agreement as well (and in some cases also interpreting differently the view of the *Chafetz Chaim*).¹⁸

If seeking *mechilah* and specifying the offense is indeed contraindicated, options may still exist including asking for a general forgiveness, without identifying a particular wrongdoing. This does tend to arouse suspicion, and in this vein some note that this may be a situation in which a less than ideal social phenomenon may be utilized. As Yom Kippur draws near, many approach all of their friends and associates and ask for forgiveness practically by rote, without identifying (usually even in their own

minds) any specific offense. While this actually falls short of the standard normally required of such apologies, in this case it may be preferable.¹⁹ Some argue, however, that this may be effective only when the gossip is routine. If the *lashon hara* was extensive and egregious, though, it is harder to assume the subject is able to issue any kind of meaningful forgiveness.

Personal Repentance for Lashon Hara

Apart from the question of apology and reconciliation, *lashon hara* is a transgression like any other, and impacts the soul of the offender in addition to any harm it inflicts upon others. In fact, many factors exist that result in a greater spiritual corruption through *lashon hara* than is normally the case with a standard transgression, and *lashon hara* has a dual effect, harming the subject and the speaker at once. As such, in addition to the appeal for forgiveness from the victim, the basic steps of general repentance are called for: confession, regret, and commitment to better behavior in the future. However, there are additional themes that are particularly relevant to *lashon hara*.

The Torah prescribes that one who has been afflicted with *tzaraat*, and is thus assumed to have been guilty of speaking *lashon hara*, must be separated from the Jewish encampment. The Talmud explains the appropriateness of this measure, by noting that the gossip separated people from each other through his harmful speech, and thus it is fitting that he should be separated from the community as a whole.²⁰

The Talmud²¹ also identifies another atoning element for *lashon hara* — the special coat that was worn by the priests serving in the Temple. The coat, which was fitted with bells, made sounds; thus, an item which makes sounds, utilized in the service of God, is invoked to atone for a transgression that involved sound. The Talmud states that the affliction and the priestly coats correspond to two different types of *lashon hara*. The affliction is visited upon one who has inflicted damage through his negative speech. If, however, no harm has actually taken place, then the speech is atoned by the coat.²²

This distinction is not a quantitative one, but a qualitative one. One who has not actually inflicted harm through his negative speech has committed a transgression that is primarily a corruption of his own personality. Thus, the symbolism expressed through the coat is an appropriate tool to address the mental attitude required for internal change. One who has actually injected divisiveness into the community, however, is in need of the more functionally oriented exile that is provoked by the affliction of *tzara'at*.²³

This article is adapted from Rabbi Feldman's *False Facts and True Rumors: Lashon HaRa in Contemporary Culture* (RIETS Press).

Endnotes

1. The early literature extensively refers to *lashon hara* as a transgression that is resistant to repentance; see *Rif, Yoma* 6a with *Ran; Machzor Vitri*, 531; *Sefer HaChinnukh*, 364; *Mishneh Torah, Hilkhos Teshuvah* 4:1, and 4:5, with *Kesef Mishneh* to 4:1; *Responsa Rambam* 121; *Rosh, Yoma* 8:18; *Sha'arei Teshuvah* 1:52,
2. *Choshen Mishpat*, 1:6.

3. *CM* 420:38; see *Sma*, #49.

4. See *LeReakha Kamokha*, VII, pp. 317-319.

5. Professor Nachum Rackover thoroughly reviews the history and substance of these rulings in the journal *Sinai*, vol. XXVI, 51, pp. 197-209 and pp. 326-345 and in the journal *Sha'arei Tzedek*, X, pp. 282-294. Much of the literature builds on analysis of a Talmudic passage (*Pesachim* 113b) in which an individual brought testimony against another in rabbinic court, but because he did so without another witness as necessary for any action to be taken, his testimony was considered unproductive disparagement, and the court flogged him. Regarding the question of whether a wife who engages in *lashon hara* forfeits her *ketubah*, see R. Eliyahu Bar Shalom in the journal *Beit Hillel*, p. 63. Concerning the disqualification of one who speaks *lashon hara* from testimony, see R. Kalfun Moshe HaKohen, *Responsa Shoel VeNishal*, II, YD, 52. See also *Resp. Ohalei Yehudah*, pp. 153-158.

6. R. Ratzon Arusi considers the implications of this law from the perspective of Jewish law and rabbinic responsibility in the journal *Sha'arei Tzedek*, X, pp. 267-281.

7. *Yerushalmi Bava Kama* 8:7; *Mordechai, Yoma* 723; *Sefer Chasidim* 613 and 631; *Sefer Mitzvot Gadol, eseh* 16; *Hagahot Maimoniot, Hil. Teshuvah* 2:10; *Resp. Terumat HaDeshen*, 307 and *psakim* 212, and Rama, O.C. 606:1

8. *Magen Avraham*, loc. cit. #5.

9. *Ibid.* Note however *Pnei Moshe* to *Yerushalmi*. See also *Matteh Ephraim* 606:3; *Responsa Chaim She'al*, II, 13; and R. David Eichenstein, *Responsa Devar Tov*, 6. See as well the discussion in R. Aharon Kahn, *Yismach Avikha*, II, pp. 50-57.

10. See *Arukh HaShulchan* 606:2.

11. See *Birkat Yitzchak*, p. 182.

12. See R. Eliyahu Lopian, *Lev Eliyahu*, vol. 1, p. 108, and *Meorot HaGedolim* 141; *Mishnat Yisrael*, p. 337 in fn; and R. Ahron Soloveichik, *Parach Mateh Aharon, mada*, pp. 186-189. See also R. Yom Tov Zanger, *Ma'adanei Yom Tov*, III, 10. However, it is noteworthy that R. Yitzchak Blazer, perhaps the most prominent



Find more shiurim and articles from Rabbi Feldman at <https://www.yutorah.org/rabbi-daniel-z-feldman>

student of R. Yisrael Salanter, writes in the introduction to his *Responsa Pri Yitzchak* that he does not have an approbation from R. Yisrael, as it was his general practice not to provide them.

13. *Yoma* 85b.

14. See *Bayit Chadash*, O.C. 606:2.

15. *Chafetz Chaim*, part 1, *Klal* 4:12.

16. *Sha'arei Teshuvah*, *Sha'ar* 3:207.

17. See R. Moshe Mordechai Karp, *Hilkhot Chag BaChag*, *Hil. Yamim Noraim* ch. 21 #111, and R. Shlomo Zalman Auerbach in *Halikhot Shlomo*, *moadim*. 3:6. See, though, *Aleinu LeShabeach*, *Devarim*, I, responsa, # 138, where R. Yosef Shalom Elyashiv is quoted as emphasizing the spiritual benefits accruing to the victim who is told about the offense, as he can be gracious and forgiving and earn great merit through his suffering for the sake of a sinner's forgiveness. However, this seems more of a consolation after the fact rather than a recommended approach; this is also implied in the presentation R. Yisrael Veinman, *Mishnat Yisrael*, p. 241, who extensively surveys practical approaches to the issue (pp. 233-242). A different approach can be found in R. Elimelech Winter, *Minchat Elimelech*, II, pp. 366-369. R. Moshe Shternbuch, *Responsa Teshuvot VeHanhagot*, V, 397, quotes R. Eliyahu Dessler as endorsing the approach of R. Yisrael Salanter, while ultimately recommending a dual approach of omitting the painful revelations while emphasizing overtures necessary for reconciliation.

18. See, for example, R. Binyamin Yehoshua Zilber, *Responsa Az Nidberu* VIII, 68 who was of the opinion that the *Chafetz Chaim* would certainly agree that the victim should not be informed of negative talk against him

of which he is unaware; it is only when he knows of the gossip but not the source that he would advocate confession. A similar suggestion is made by R. Yisrael Isser Hertzog in the journal *HaDarom* LII, 62-67 as well as by R. Zvi Hirsch Scheinberger in the journal *Beit Aharon ViYisrael*, XVIII, 1 (103), p. 84. See also *Responsa LeChafetz BaChaim*, I, 5. See also *Sh'eilat Shmuel*, in *Orchot Chaim* to *Shulchan Arukh*, and R. Yochanan Segal Vosner, *Responsa Chayei HaLevi*, III, 100, who suggests that the *Chafetz Chaim* was referring to a situation in which the offense would have eventually become known to the victim, and thus it is better heard from the antagonist than from anyone else. (Note *Chafetz Chaim*, *Be'er Mayim Chaim* 48). See also *Chut Shani*, p. 335 and R. David Binyamin Brezacher in the journal *Kol Torah*, *ibid.*, pp. 67-68.

19. See R. Shlomo Wahrman, *Orot Yemei HaRachamim*, 37, and R. Moshe Shternbuch, *Moadim U'Zmanim* 1:54. However, in his *Responsa Teshuvot VeHanhagot* (V, 397), he writes that a completely nonspecific request is insufficient; it should rather be a request along the lines of, "perhaps I spoke some *lashon hara* about you, I don't remember exactly..." without providing the full details. See also the discussion of this in R. Mordechai Babad, *Minchat Machvat* (II, 132) and *Ma'or HaSha'ar* to *Sha'arei Teshuvah*. See also *Yalkut Yosef*, *Kitzur Shulchan Arukh* 2, 606:16, and *Nit'ei Gavriel*, *Hil. Yom HaKippurim*, ch. 17 n2, and see also R. Yosef Lieberman, *Responsa Mishnat Yosef*, IV, 44.

20. See also R. Moshe Shternbuch, *Taam VeDaat*, who suggests, in a homiletic vein, symbolism in the *tzaraat* afflictions regarding the internal attributes that lead to indulgence in *lashon hara*. For one, the Torah uses the word, *se'ait*, which is related to the word

meaning "to lift"; this represents an arrogant individual, who sits in judgment of others and thus derogates them. Another term the Torah uses is *baheret*; this is related to the word meaning "clear", and represents one who finds matters to be so simple and obvious that he can assess their worthiness without consideration of additional factors or broader context.

21. *Arakhin* 16a.

22. The Talmud also mentions another source of atonement for *lashon hara*, the incense, and suggests that the coat atones for *lashon hara* spoken in public, and the incense for that spoken in private. Regarding that distinction, see *Torat HaOlah* of the Rama, 3:7, and *Shemirat HaLashon*, II, 20:9. For a discussion of the symbolism of the incense as an atonement for *lashon hara*, see R. Avigdor Neventzhal, *Sichot LeSefer Shemot*, pp. 325-328 and *Sichot LeSefer Bemidbar*, pp. 156-158; *BiYad HaLashon*, pp. 153-154 and pp. 367-370 (by R. Michel Zilber); R. David Kronglass, *Sichot Chokhmah UMussar*, 20; and *Shmuot Chaim*, *Arakhin* ch. 3, #28. For further observations regarding both the coat and the incense, see *VaYita Eishel* to *Arakhin*, 100, and, at length, *Emek HaLashon*, *Kuntres Keter HaMe'il*, pp. 170-190. Note also the implication of the Talmud Yerushalmi, *Yoma* 5:3 is that the coat atones for all types of *lashon hara*; see *Emek HaLashon*, 17 for an analysis of the difference between the two formulations.

See also R. Yehudah Aryeh Leib Choshki, *Lev Aryeh*, Gen. p. 109, who suggests that Joseph was given a coat as a gift by his father Jacob in order to offset the negative speech he relayed concerning his brothers.

23. See *Divrei Yaakov* to *Arakhin*.

Find more shiurim and articles on Lashon Harah
on the Marcos and Adina Katz YUTorah.org

