

**Rabbi Dr. Shmuly Yanklowitz**

**February 2021, Shevat 5781**



# ***The Ethics of Speech in a Social Media Era!***



## **Tom Goodwin - “The Battle Is For The Customer Interface“**

Uber, the world’s largest taxi company, owns no vehicles. Facebook, the world’s most popular media owner, creates no content. Alibaba, the most valuable retailer, has no inventory. And Airbnb, the world’s largest accommodation provider, owns no real estate.... The Internet is the most powerful mechanism we can imagine to match perfectly individuals that need something, and people with something to offer... The new breed of companies are the fastest-growing in history. Uber, Instacart, Alibaba, Airbnb, Seamless, Twitter, WhatsApp, Facebook, Google: These companies are indescribably thin layers that sit on top of vast supply systems (where the costs are) and interface with a huge number of people (where the money is). There is no better business to be in.

***TechCrunch***  
**March 3, 2015**

## **“So You’ve Been Publicly Shamed” - Jon Ronson**

Four weeks later, [Lindsey] Stone and [her co-worker] Jamie were out celebrating Jamie’s birthday when their phones started vibrating repeatedly. Someone had found the photo and brought it to the attention of hordes of online strangers. Soon there was a wildly popular “Fire Lindsey Stone” Facebook page. The next morning, there were news cameras outside her home; when she showed up to her job, at a program for developmentally disabled adults, she was told to hand over her keys. (“After they fire her, maybe she needs to sign up as a client,” read one of the thousands of Facebook messages denouncing her. “Woman needs help.”) She barely left home for the year that followed, racked by PTSD, depression and insomnia. “I didn’t want to be seen by anyone,” she told me last March at her home in Plymouth, Mass. “I didn’t want people looking at me.”

**Rabbi Jonathan Sacks -**

***Morality: Restoring The Common Good In Divided Times***

**"Some deep and destabilizing transformation is taking place in the twenty-first century, but it is hard to to say what. In an age of information overload, when so much of the news comes to us in such small, disconnected slices, we live in a world of dry sound bites, which increases our sense of not knowing where we are. This can lead to feelings of powerlessness, anxiety and fear, and a desperate desire to find people who will resolve the dissonance for us" (p. 3)**



# Leviticus 19:16

לֹא-תֵלֵךְ רֹכֵל בְּעַמֶּיךָ לֹא תֵעָמָד עַל-דַּם  
רֵעֶךָ אֲנִי יְהוָה:

16

**You shall not go around as a gossipmonger amidst your people. You shall not stand by [the shedding of] your fellow's blood. I am the Lord.**

## Leviticus 25:17

וְלֹא תוֹנוּ אִישׁ אֶת-עֵמִיתוֹ וּיְרֹאתָ מֵאֱלֹהֶיךָ  
כִּי אֲנִי יְהוָה אֱלֹהֵיכֶם:

17 Do not wrong one another, but fear your God; for I the LORD am your God.

**Rabbi Moses ben Maimon  
aka  
Rambam  
aka  
Maimonides**





**Ca. 1135 or 1138**  
**14th of Nissan, birth of Rabbi Moshe ben Maimon, Rambam, in Cordova, Spain.**

**1148**  
**The Almohades capture Cordova. The Maimon Family flees Cordova.**

**1158 (1161)**  
**Rambam begins writing his commentary on the Mishnah.**

**Ca. 1162/1163**  
**Rambam composes and disseminates "Iggret HaShmad" (Epistle Concerning Apostasy).**

**1165 (1168)**  
**Rambam completes his Commentary on the Mishnah.**

**1167 (1170)**  
**Rambam begins composing Sefer HaMitzvot – The Book of Commandments and Mishneh Torah.**

**1169**  
**He writes and sends Iggeret Teiman to the Jews of Yemen.**

**1177 ca.**  
**Appointed Chief Rabbi by the Jewish community of Cairo. Completes writing of Mishneh Torah**

**1186 (1190)**  
**Completes Moreh Nevuchim (Guide for the Perplexed).**

**1204**  
**Rambam passes away and is buried in Tiberias.**

## I. When (Not) To Speak: The Razor's Edge

### **Maimonides, Commentary to Mishna Avot 1:17**

I say that the Torah divides speech into five categories: commanded, prohibited, unseemly, beloved, and permitted.

The first category - commanded - is the public reading of Torah, and its study...

The second category - prohibited speech - is false testimony, lying, tale-bearing, slander, and cursing. The Torah's verses describe this category, which includes obscenity and gossip...

The fourth category - the beloved - is speech praising intellectual and moral virtues, and denigrating lowliness in these areas [intellectual and moral]. Also included - the arousal of the soul to these [virtues] through stories and poetry, and avoiding [lowliness] through these very means. Also included - praising exemplary people and extolling their virtues, and denigrating the lowliness of bad people so that their actions and reputation be denigrated in everyone's eyes and people will distance themselves from them, and not act as they act. And some people call this category - by which I mean: the study of moral virtues and distancing of moral lowliness - "*derekh eretz*" ...

**רמב"ם על משנה מסכת אבות פרק א משנה יז**  
ואני אומר, כי הדיבור יתחלק לפי חיוב תורתנו לחמשה חלקים: מצווה, ואסור, ומאוס, ואהוב, ומותר.

החלק הראשון, והוא המצווה, הוא קריאת התורה ולימודה והעיון בה...

והחלק השני, הוא הדיבור אשר נאסר, והזהר ממנו, כעדות שקר וכזב ורכילות ומלשינות וקללה, ופסוקי התורה יורו על זה החלק, וממנו נבלות פה ולשון הרע...

והחלק הרביעי, והוא האהוב, הוא הדיבור בשבח המעלות השכליות והמידותיות, ובגנות הפחיתויות משני המינים גם יחד, והערת הנפש לאלה בסיפורים ובשירים, ומניעתה מההן באותן הדרכים עצמן. וכן לשבח המעולים ולהללם במעלותיהם, כדי שייטב מנהגם בעיני בני אדם וילכו בדרכם, ולגנות הרעים בפחיתויותיהם, כדי שיתגנו מעשיהם וזיכרם בעיני בני אדם, ויתרחקו מהם ולא ינהגו במנהגם. ויש אשר יקרא זה החלק - רצוני לומר: לימוד המידות המעולות והרחקת המידות הפחותות - דרך ארץ...



**Rabbi Yisrael Meir Kagan  
aka  
Chofetz Chaim**

Born in Zhetel, Poland on February 6, 1838

1864 to 1869 he taught Talmud in Minsk

1869, he formed a yeshiva in Radin

1873 - *Chofetz Chaim* - his magnum opus - is published

1884 - 1902 - 6 volumes of Mishnah Berurah published

1933 - Passes away at age 95

### **Hafetz Hayyim, R' Yisrael Meir ha-Cohen, 10:1-2**

If you see that one person has harmed another - such as theft, or exploitation, or harm (whether or not the victim is aware of the injury), or shame, or causing pain or suffering with words - and you know with certainty that the stolen property has not been returned, or the damage has not been compensated, or that the assailant has not apologized to the victim; even if you are the only witness: you may tell other people so that they can help the victim and to denigrate these bad deeds in everyone's eyes. However, take care that none

### **ספר חפץ חיים כלל י ס' א-ב**

(א) אם אחד ראה אדם, שעשה עולה לחברו, כגון שגזלו או עשקו או הזיקו, בין אם הנגזל והנזק (ב) יודעים מזה או לא. או שבישו, או שצערו והונה אותו בדברים. (ג) ונדע לו בברור, שלא השיב לו את הגזלה ולא שלם לו את נזקו (ד) ולא בקש פניו להעביר לו על עונו, אפלו ראה דבר זה ביחיד, יכול לספר הדברים לבני אדם כדי לעזר לאשר אשם לו ולגנות המעשים

of these seven criteria be missing:

1. You have seen the incident yourself, rather than through hearsay - unless you have later clarified that the matter is certainly so.
2. You must be extremely careful not to immediately determine that this is in fact a case of theft, exploitation, harm etc - rather, deliberate carefully over the matter and whether it is classified as theft or harm.
3. You must initially confront the assailant, using gentle language in hopes that you can affect her, and that this will lead her to improve her ways. And only if she does not respond can you publicize what she has done to the victim. (And if you know that this confrontation will not be accepted, see 10:7 below.)
4. You must not magnify the wrongdoing beyond what it actually is.
5. Your goal must be rectifying the wrong, and not, God forbid, entertainment at the stigma you are placing on the assailant, nor satisfying enmity that you already bear towards her.
6. If you can bring about the rectification of the wrong through other means, such that you would not need to spread this gossip about the assailant, then it is entirely forbidden to do so.
7. That the harm that will come to the assailant through the spreading of this knowledge not exceed the judgment that would have rendered had proper testimony been offered in a court.

הַרְעִים בְּפְנֵי הַבְּרִיּוֹת, אַךְ יִזְהַר, שְׁלֹא יִחְסְרוּ אֵלּוּ הַשְּׂבָעָה פְּרָטִים, שֶׁנִּבְאָרָם בְּסִמּוּךְ.

וְאֵלּוּ הֵן:

א (ה) שְׂרֵאָה זֶה הַדָּבָר בְּעֵצְמוֹ, וְלֹא עַל יְדֵי שְׂמִיעָה מֵאַחֲרִים, אִם לֹא שֶׁנִּתְבָּרַר לוֹ אַחַר קָרְ, שֶׁהַדָּבָר אֱמֶת.

ב שְׂרֵאָה מֵאֵד, שְׁלֹא יִחְלִיט תַּכְּף אֶת הָעֵינָן בְּדַעְתּוֹ לְגַזֵּל וְעִשְׂק אוֹ לְהִזְק וְכִיּוֹצֵא בָּזֶה, (ו) רַק יִתְבּוֹנֵן הֵיטֵב אֶת עֵצֶם הָעֵינָן, אִם הוּא עַל פִּי דִין בְּכָלל גָּזֵל אוֹ הִזְק.

ג (ז) שְׂיֹכִיחַ אֶת הַחוּטָא מִתַּחֲלָה (ח) וּבִלְשׁוֹן רַכָּה, אוֹלֵי יִכָּל לְהוֹעִיל לוֹ, וְיִיטִיב עַל יְדֵי זֶה אֶת דְּרָכָיו, וְאִם לֹא יִשְׁמַע לוֹ, אֲזַי יוֹדִיעַ לְרַבִּים אֶת אֲשַׁמַּת הָאִישׁ הַזֶּה, מֵהַ שְׁהִידֵי עַל רַעְיוֹ. (וְאִם יוֹדֵעַ בּוֹ, שְׁלֹא יִקְבֵּל תּוֹכַחְתּוֹ, יִבְאֵר לְקִמּוֹ, אִם יִרְצֶה ה', בְּסַעֲרֵי ז').

ד (ט) שְׁלֹא יִגְדִיל הָעוֹלָה יוֹתֵר מִמֶּה שֶׁהִיא. ה (י) שְׂיִכּוֹן לְתוֹעֲלוֹת, וְכִמּוֹ שֶׁנִּבְאָר לְקִמּוֹ בְּסַעֲרֵי ד', וְלֹא לְהַנּוֹת, חֶסֶד וְשִׁלּוּם, מִהַפְּגָם הַהוּא, שֶׁהוּא נוֹתֵן בְּחִבְרוֹ, וְלֹא מִצַּד שְׂנְאָה, שְׂיִישׁ לוֹ עֲלָיו מִכָּבָר.

ו אִם הוּא (יא) יְכוֹל לְסַבֵּב אֶת הַתּוֹעֲלוֹת הַזֹּאת גּוֹפָא (עֲצֻמָּה) בְּעֵצָה אַחֲרֵת, שְׁלֹא יִצְטַרֵּךְ לְסַפֵּר אֶת עֵינָן הַלְשׁוֹן הַרַע עֲלָיו, אֲזַי בְּכָל גּוֹנֵי אִסּוּר לְסַפֵּר.

ז (יב) שְׁלֹא יִסּוּבֵב עַל יְדֵי הַסַּפּוֹר הַזֶּה לְהַנְדוֹן יוֹתֵר מִכִּפֵּי הַדִּין, שֶׁהִיא יוֹצֵא, אֵלּוּ הוֹעֵד עֲלָיו בְּאִפְּן זֶה עַל דָּבָר זֶה בְּבֵית דִּין, וּבְאִוֵּר דָּבָר זֶה עַיִן לְקִמּוֹ בְּהִלְכוֹת רַכִּילוּת בְּכָלל ט', כִּי שֵׁם מְקוֹמוֹ.

## Sfat Emet

The midrash quotes the verse: “Death and life are in the hands of the tongue” (Proverbs 18:21). It goes on to quote Ben Sira, who told of one who found a glowing ember and blew upon it, lighting up a flame. Then he spat on it and it was extinguished.

This ember is to be found everywhere; it is the spark of Torah which is called fire. The word ember [גחלת gachelet] is numerically equivalent to the word truth [אמת emet]. Truth refers to Torah, by which everything was created. Thus the ember is to be found everywhere, in everything.

The Jew is capable of fulfilling the potential of this spark. Of this it is written: “He blew the breath of life into his nostrils, and man became a living soul” (Genesis 2:7). ‘Living soul’ is rendered by the Aramaic translation as “a speaking spirit”. We have the power in our mouths to awaken the life that lies everywhere. That is why “if you walk in my ways” (Leviticus 26:3) is read as ‘working in Torah’. This means making a real effort to find words of Torah everywhere, to seek out the stamp and imprint of Torah that is found in every place ...

*-Rabbi Yehudah Leib Alter of Ger, Sefat Emet, Leviticus, year 5655 (The Language of Truth, Art Green, pages 205 – 206)*

# Rabbi Dr. Shmuly Yanklowitz

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