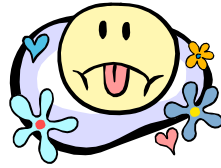


# Hurtful Words

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## Ona'as Devarim



### ***Introduction***

As children, we all experienced painful and insulting remarks from fellow classmates, the neighborhood bully, or from family and friends. Children commonly hurl nicknames and verbal abuse at one another. From remarks like “four eyes,” to hurtful terms like “fatso” and “smelly,” the damage that these painful jabs leave on innocent and impressionable children is immeasurable. Sticks and stones may break bones, but words break hearts.

When we were not on the receiving end of those words, at some point in our development we were most likely dishing them out. But with time, we matured and grew beyond such terms. Still, even though most of us don’t resort to actual name-calling anymore, some of us utilize more subtle means that accomplish the very same ends.

Character assassination means something totally different to a twenty-four year old than it does to a four year old, but the root immaturity is identical. Hurting another individual is downright immature. Not only that, it is a Torah prohibition!

### ***The Verse***

The Pasuk says, “And you shall not ‘Sonu’ one another, and you shall fear your G-d, for I am Hashem your G-d” (Vayikra 25:17).

What exactly is the Torah prohibiting here? The word “Sonu” is derived from the root of “Ona’a,” which means “fraud” or “deception.” At first glance, it seems as if this verse is echoing a prohibition that appears earlier in the same chapter. In the earlier verse, the Torah says, “When you sell merchandise to your fellow man, or buy from the hand of your fellow man, do not ‘Sonu’ one another (Vayikra 25:14).” Here, Sonu clearly refers to *cheating*. The Torah uses

the word to prohibit us from deceiving our fellow man in the course of business.

Yet according to the Gemara, the first verse we quoted (verse 17) prohibits much more than mere fraud. As a matter of fact, an entire collection of prohibitions can be learned from this verse.

### ***A Verse With Many Applications***

#### *The Mishna:*

The Mishna in Bava Metzia (58b), referring to Verse 17, above, states that just as there is a concept of Ona'a with regard to business, so too there is a concept of Ona'a with regard to words. What is Ona'a with words?

The Mishna gives three examples:

- *Asking a storeowner how much an item costs, when you have absolutely no intention of buying the item.*  
Using speech to fruitlessly raise the hopes of the storeowner is a form of deception. This is a very logical parallel to the Ona'a of business. From this example, it would seem that the Torah prohibition of Ona'a centers around deception – be it in business or in words. But the Mishna goes on...
- *Telling a Baal Teshuva (repentant Jew), "Remember your earlier misdeeds."*  
Here, there is no deception. This example is just a mean-spirited remark aimed at making a person feel awkward and different.
- *Vindictively reminding a descendent of converts about his non-Jewish lineage.*  
This example is very similar to the second. Here too, deception is not the aim. Rather, the speaker intends to mock a person's past and to thereby create the illusion that his victim is a second-class citizen of the Jewish people.<sup>a</sup>

#### *The Braisa:*

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<sup>a</sup> This, of course, is the exact opposite of the approach a healthy person should have toward repentant and converted Jews. One ought to admire the strength of character necessary to make the type of life-changes that such people make, despite great adversity. Those who insult such Jews often do so because of a feeling of inadequacy in their own personal growth.

The Gemara does not suffice with the three examples of the Mishna. It goes on to quote a Braisa that adds three additional forms of Ona'as Devarim. These additional examples, together with those of the Mishna, shed light on the full meaning of Ona'a with words. The additional examples are:

- *Telling a convert, "How can a mouth that ate treif and disgusting creatures, now speak words of G-d's Torah?"*

This is a sterling example of being plain nasty.

- *When a person is suffering, instead of comforting the individual and empathizing with him, one tells him, "If you had only been a better person spiritually, this suffering would never have befallen you."*

Here, too, the example is not one of deceit, nor so much being nasty, but more of an issue of insensitivity to another's pain.

- *Telling people who are searching for grain to go to Yankel, when in truth Yankel has no grain to sell. Yankel will be very embarrassed when they come knocking and he has nothing to offer them.<sup>b</sup>*

This is an example of a practical joke – having fun at the expense of another. This example contains nastiness, insensitivity and deception all rolled up together.

The Braisa brings the opinion of Rabbi Yehuda (with which the Sages disagree)...

- *Rabbi Yehuda adds the case of window-shopping, where one looks at items in someone's store while he does not have the funds to pay for those items.*

Unlike the first case in the Mishna (asking the storeowner for prices when one has no intention of buying), here the person *is* interested. This is no practical joke; the fellow simply doesn't have the money. His window-shopping is more like wishful thinking. Nevertheless, Rabbi Yehuda forbids it, since, regardless of his intentions, he has raised the seller's hopes for no reason.

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<sup>b</sup> This is Rashi's understanding of the case. The Kesef Mishna (Hilchos Mechira 14:14) suggests that the case might be one where the people in search of the grain are the ones that end up being embarrassed. In truth, the outcome would most likely depend on the circumstances. Sending someone to the individual who used to be the leading grain salesman before his business failed, would be terribly hurtful *to that individual*. On the other hand, sending a couple of slightly naïve individuals to the corporate headquarters of General Motors to ask for grain, would end up being embarrassing *to them*, but it would not in the least hurt the CEO of GM. This distinction is clear from the Orach HaShulchan (CM 228:3).

Finally, the Rambam<sup>1</sup> adds one more example:

- *Asking Berel, whom you know to be unknowledgeable about subject X, “Hey Berel, what do you think about subject X?” just to embarrass him.*  
In other words, purposely creating a situation whereby someone’s weakness will be revealed.

At this point, it is clear that the definition of Ona’as Devarim is not simple. It includes:

1. Recalling someone’s past in a derogatory fashion (The convert and Baal Teshuva)
2. Saying insensitive and critical comments to a person who is going through personal suffering
3. Playing practical jokes at the expense of another. (Asking the price of an item you do not plan to buy, or sending the grain buyers to the wrong address.)
4. According to Rabbi Yehuda, getting a person’s hopes up when you cannot follow through. (With which the Sages disagree, most likely because they hold that the seller does not mind that you are looking, because one day you may indeed have the money)<sup>c</sup>.
5. Intentionally creating a situation whereby someone’s weakness will be revealed.

### ***What it All Boils Down To***

Based on all of the above, how should Ona’as Devarim be defined? What do all these scenarios have in common? It is clear that the definition of Ona’as Devarim is more than just being deceptive or insulting. But what is the common thread?

The Sefer HaChinuch<sup>2</sup> notes a telling detail in his discussion of Ona’a. His definition of this prohibition is as follows: “Do not say words to your fellow

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<sup>c</sup> Another possible explanation of the opinion of the Sages is that they hold there is no Ona’as Devarim when no words are used. Either way, the Halacha, as usual, follows the Sages. Thus, the Rambam and the Poskim do not bring down Rabbi Yehudah’s case altogether.

Jew that will hurt or pain him, *against which he cannot stand.*” In other words, do not hit a person in his weak spot. Or, as Rav Sampson Raphael Hirsch translates the verse, “**Do not take advantage.**”<sup>d</sup>

There are many ways one can take advantage of a fellow Jew. First, there is taking advantage in the financial sense. We may not take advantage of a buyer or seller’s naïveté, by over or under pricing. Furthermore, “taking advantage” applies to interpersonal relationships as well. We may not take advantage of people’s current or former state, and use that as a weapon to attack them. We may not take advantage of their lack of knowledge to play a practical joke on them, or set up a situation where we expose their lack of knowledge. In short, we may not take advantage of any weakness a person has, to thereby hurt them.

**Discussion:** What about leveling a ridiculous accusation against someone? What about calling the Rabbi of your Shul a carjacker, in public? Are you taking advantage of any weakness?

One could suggest that even here there is an issue of Ona’as Devarim, insofar as once an accusation is aired, the subject of the accusation becomes vulnerable. Eyebrows get raised. People start thinking, “Where there is smoke there is fire,” and so even such accusations must be avoided.

What about telling someone who is new to shul, “You are sitting in my seat?” Here you are being rude, but you are not making a personal remark aimed at hurting the person. But, at the same time, you are being very unwelcoming of a person who already feels like an outsider. Is this “taking advantage?”

### *The Severity of Ona’as Devarim*

It is important to realize just how severe the prohibition of Ona’as Devarim is. The Gemara<sup>3</sup> states that Ona’as Devarim is even worse than Ona’a in business. Ona’as Devarim is worse for three reasons:

1. It is aimed at the person, not just his money.
2. The damage cannot be repaid.

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<sup>d</sup> The Rambam (Sefer HaMitzvos #251) also uses an expression of not being able to stand in the face of the Ona’a. However, he focuses more on the element of embarrassment. That is, the reason the insulted individual cannot stand, is due to the embarrassment that he is experiencing. It is interesting to note that the Shulchan Aruch HaRav also seems to lean in this direction, and thus emphasizes that there is no Ona’as Devarim unless the victim is aware of the Ona’a. According to this approach, the focus is less on taking advantage of another individual’s weakness, but rather more on the simple fact that that individual is hurt and embarrassed.

3. The Gates of Heaven are always open to receive the cries of pain of a victim of Ona'as Devarim.

Thus, aside from the normal repercussions of violating a Torah prohibition, we must also consider the power of a pained individual, and the fact that we are held personally accountable for his distress. It is frightening to consider the Gemara's comment that such a pained individual has access to G-d's "listening ear."

Clearly, the sin of Ona'as Devarim spells great evil for the perpetrator. Furthermore, there are some victims whom Ona'as Devarim hurts even more than it would others. Thus, the Gemara goes on to note that one must be extra careful not to violate Ona'as Devarim toward one's wife. A wife sees her husband as a source of support, and when he turns on her, her pain is magnified. In the words of the Gemara, "her tears are quick to come." Therefore, one must be extremely careful not to hurt her, but rather to assure that she is properly honored.

### ***Those To Whom It Is All the More Painful***

In addition, there are certain groups of people who can easily be taken advantage of. These people, due to some perceived or real disadvantage in the eyes of society, are more vulnerable to the barbs and insults commonly hurled around. The convert, widow, and orphan fall in this category.

With regard to converts, the Gemara<sup>4</sup> states that when one violates Ona'as Devarim toward them, he not only violates the standard prohibition that applies to all Jews, but he has also violated *two additional averos* that apply specifically to converts.<sup>e</sup> Making a convert feel as though he or she is an unwelcome member of the Jewish People, is a grievous sin!

Similarly, one who takes advantage of a widow or orphan violates an extra prohibition<sup>f</sup>, for which Hashem warns that, "My anger will burn against you and annihilate you by the sword, so that your wife will be a widow and your children will be orphans."

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<sup>e</sup> Vayikra 19:33 and Shemos 22:20

<sup>f</sup> Shemos 22:21-23

Taking advantage of any individual is wrong, but taking advantage of the weak and vulnerable is an especially horrible sin that incurs the “wrath” of Hashem.<sup>g</sup> Therefore, the Rambam cautions us to go to the extreme in tending to the needs of the disadvantaged widow and orphan.<sup>5</sup>

### ***When Ona’as Devarim is Permitted***

Despite being a horrible and grievous sin, the prohibition of Ona’as Devarim does have some exceptions. The Torah itself tells us to admonish one who has sinned. This includes admonishing a sinner for what he has done to you or for a violation of a Torah precept.<sup>6</sup> Clearly, telling a person that his behavior is unacceptable is hurtful. It may even cause feelings of embarrassment or rejection. Why isn’t this considered a violation of Ona’as Devarim?

Let’s examine the words of Rambam discussing a different Avera, which will help us understand the Avera of Ona’as Devarim a little better.

In explaining the prohibition of physically hurting someone, the Rambam<sup>7</sup> notes that one only violates the prohibition if he performs the deed in a spiteful fashion. If one hits in a manner that is beneficial to the victim, he has violated nothing. Theoretically, if one feels that hitting his child would be beneficial for the child, it is permitted. If this is true in the physical sense, the same would be true in the verbal sense, and constructive criticism should be permissible.<sup>h</sup>

Thus, it is permissible to admonish someone though they may be embarrassed as a result. The Gemara<sup>8</sup> states that the prohibition of Ona’as Devarim does not apply to a sinner – i.e. when your intention is to show the sinner that his behavior is not acceptable in Jewish society. The insult that this individual suffers in response to our admonishment is for his, or someone else’s, ultimate good. He must either mend his ways or become an outcast from society,

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<sup>g</sup> In fact, it is the opinion of Rabbi Yishmael (Mechilta Mishpatim Parsha #18) that the verse only specifies widows and orphans as common examples of the disadvantaged. In truth, hurting any very vulnerable person is a violation of this Lav. Rashi on the verse follows this explanation. Even the Rambam (Sefer HaMitzvos #256, and Hilchos Deos 6:10) who goes with Rabbi Akiva’s opinion that the avera technically only applies to actual widows and orphans (which is how the Mishna Brura seems to rule, as well – OC 156 #4), notes that the reason for Torah’s focus on these individuals is their trampled spirit.

**Discussion:** When one subjects his wife to Ona’as Devarim on a regular basis, it could be argued that he has turned her into a “widow” of sorts. She no longer has a husband, in the sense that a husband must honor and offers support to his wife, which this fellow is obviously not doing. According to Rabbi Yishmael, at least, it would seem that he would therefore have violated the *extra* Lav of paining a widow. If this woman is also a convert, this man would additionally violate the other two averos for a possible total of four Lavim!

<sup>h</sup> Indeed, Rav Zalman Nechemia Goldberg says that this line of reasoning is a Kal V’Chomer.

because of his improper behavior. Calling an abusive husband, a “low-down, dirty, wife-beater” with the intention to communicate to him, or others, that society cannot tolerate such behavior, is not Ona’as Devarim.

It is not verbal “abuse,” if you are aiming to do good. Again, the focus of Ona’as Devarim is *taking advantage* of our fellow man. Insults, barbs, and the like, when they are intended for a better end, are not spiteful. They do not seek to take advantage of some vulnerability.<sup>i</sup> Such remarks, therefore, do not constitute a violation of Ona’as Devarim.<sup>j</sup>

However, this dispensation cannot be taken too far. One could easily envision a scenario where the person hurling negative remarks claims to be in the right, since his stated intentions are good. In reality, though, he just wants to tear apart his fellow man. He uses the excuse of “it’s for their own good,” when, in truth, he just enjoys trampling over people’s feelings!

For such people, the Torah concludes the verse of Ona’as Devarim by stating, “and you shall fear your G-d, for I am Hashem your G-d.” (Vayikra 25:17) Hashem knows our true intentions, and it is to Him that we are ultimately accountable.<sup>k</sup>

### ***Severe Embarrassment: A Red Line Never to be Crossed***

As mentioned, even permissible Ona’as Devarim, brings along with some level of embarrassment. Inevitably, when one finds himself on the receiving end of rebuke, he will automatically feel some degree of pain. As noted, that pain does not constitute a violation of Ona’as Devarim on the part of the admonisher.

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<sup>i</sup> It is important to note, though, that insulting a person for his own good, is generally ineffective in today’s day and age. In fact, it often has the opposite effect. There were great teachers in previous generations who used sharp words to make their students refine their thought processes. However, today, such methods will, most likely, backfire. Today, one must be doubly careful to insure that his critical words will really have a noble end.

<sup>j</sup> Another exception to Ona’as Devarim is based on a Nimukei Yosef (Bava Metzia Chapter 4), quoted as Halacha in the Rema (CM 228:1). The Nimukei Yosef adds that a person who “does Ona’a to himself” is not included in the prohibition of Ona’a. The Sma on the above Rema explains that insofar as this individual is not a normal member of society, as evidenced by his total lack of self-respect, he is not included in the verse that prohibits Ona’as Devarim. The verse specifically says, “Do not do Ona’a *l’ameesecha*” – i.e. to people of your nation. This individual has excluded himself from society in general.

The Orach HaShulchan has a totally different understanding of the above Nimukei Yosef. He understands “someone who does Ona’a to himself,” to refer to a person who fools himself into thinking that he is a righteous individual, when in reality, he is a spiritually impoverished person. Such a person must be disillusioned! In effect then, this new exception to Onaas Devarim is not new at all. It is just another form of Onaas Devarim for the subject’s own good, as above.

<sup>k</sup> Based on the Gemara in Bava Metzia 58b



However, the same verse that enjoins us to admonish one another, tells us not to go too far. Severe humiliation and degradation of an individual are always forbidden. Even when our intentions are noble, there is a red line that we cannot cross.

Let's go back to the "low down, dirty, wife-beater." He is far from a pleasant person to deal with. So why not bypass him, and instead of dealing with him face-to-face, place his picture and a story about his abusive behavior in the local newspaper? That would surely get him to rethink his ideas of what is acceptable behavior. Based on what we learned, this would not be a violation of Ona'as Devarim. So is it permitted?

The Pasuk says, "And you shall surely admonish one another, **but do not thereby incur guilt!**" (Vayikra 19:17) This directive, not to incur guilt, is understood by the Gemara<sup>9</sup> to mean that one may not **totally** degrade the sinner.

When admonishing our fellow man - for whatever evil he may have done - we must be careful to do so in a way where he will not suffer severe embarrassment. When delivering legitimate criticism which is bound to be painful, we must be sensitive and not cross the red line between permissible Ona'as Devarim, and extreme embarrassment<sup>l</sup>.

Now, if causing extreme humiliation is forbidden even in the course of admonishing a sinner, it goes without saying that humiliating an average person needlessly is surely forbidden. Humiliation is a most severe sin: a sin that extends far beyond the realm of standard Ona'as Devarim. Publicly degrading an individual and demolishing his self-image is far different than taking advantage of someone's weak point for our own benefit.<sup>m</sup> This prohibition involves much more than simply causing pain; it is nothing less than publicly ripping a person to shreds.<sup>n</sup>

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<sup>l</sup> Even this line may be crossed in extreme circumstances. When it is absolutely clear that the person will only change if he is confronted in a public setting, then even public embarrassment is permitted. As the Rambam notes, this was the practice of most of the Prophets throughout Jewish history. They would regularly stand in public and admonish kings and leaders. The Prophets would embarrass these figures by revealing their shortcomings to all present. Apparently, when there is no other alternative, one may even resort to extreme embarrassment.

<sup>m</sup> Even according to the Rambam, quoted in footnote #d above, who says that Ona'as Devarim includes an element of embarrassment, here we are discussing something else. There is embarrassment, and there is humiliation. In this section we are dealing with the latter.

<sup>n</sup> Rashi on the Gemara in Eruchin, which forbids extreme embarrassment even in the course of admonishing, says that "extreme" embarrassment means public embarrassment. However, the Rambam (Hilchos De'os 6:8) includes any form of severe embarrassment in this prohibition. The Chofetz Chaim (in his introduction to Lav

The Gemara<sup>10</sup> states that one who is “Malbin Pnei Chaveiro B’Rabim” (literally, one who whitens his friend’s countenance), has shed his blood! Publicly embarrassing someone is murder, so much so that the Gemara deems it more appropriate to throw oneself into a fiery furnace than to violate this most grievous act.

The Sages’ wording is not simply for dramatic effect. It is Halacha L’Meisa<sup>o</sup> - one is required to die, rather than publicly humiliate a fellow Jew!

Finally, the Gemara<sup>11</sup> states that one who callously humiliates his fellow has no share in the World to Come! In short, publicly shaming an individual is just not worth it.

### ***Summary***

Ona’as Devarim is painful, immature, and a Torah prohibition. Unfortunately, when this Avera is violated, it is often at the expense of the people closest to us.

- ❑ Being critical or using negative labels against one’s spouse, is a clear violation of Ona’as Devarim.
- ❑ Labeling children is poor education and constitutes Ona’as Devarim. Furthermore, when the source of Ona’as Devarim is a spouse or parent, it is all the more damaging.
- ❑ Ona’as Devarim to a convert incurs additional prohibitions.
- ❑ Ona’as Devarim toward a widow or orphan also carries an additional prohibition, and is proscribed in harshest terms.

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#14) notes that the different opinions do not indicate any real disagreement. He explains that, generally, only public embarrassment can cause “extreme” embarrassment. But, if one is so talented that, even in private, he succeeds in shaming another to extreme embarrassment, Rashi too would agree that he violates the directive against “Incurring Guilt”.

<sup>o</sup> As noted by Rabbeinu Yona in Shaarei Teshuva (3:139), and Tosfos to Sota 10b (SV Noach Lo). The Rema in YD 157:1 rules this way, as well. He writes that not only must one die rather than commit any of the three cardinal sins (Murder, Immorality, or Idolatry) but he must also give up his life for any of their subcategories (Avizraihu). Rabbi Yaakov Ettlinger notes that the subcategory of murder is public humiliation (Binyan Tzion #172).

However, saying what would otherwise be Ona'as Devarim for the subject's benefit, or for someone else's benefit, is not a violation of Ona'a. Thus, rebuke is not a violation of Ona'as Devarim. Still, when admonishment turns into public embarrassment, it has gone too far. Public embarrassment is the equivalent of murder, and must be avoided at all expense, unless it is truly for the person's benefit, and there is no other choice.

The Torah wants us to be sensitive to one another's feelings, to want only the best for each other ("V'Ahavta L'Rayacha Kamocha"), and to avoid comments that hurt, embarrass, and otherwise harm. The pen is truly more powerful than the sword, but the tongue is the sharpest, most penetrating tool of them all.

## Endnotes and Sources

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<sup>1</sup> Hilchos Mechira Chapter 14 Halacha 14

<sup>2</sup> Mitzvah #338

<sup>3</sup> Bava Metziah 58b

<sup>4</sup> Ibid 59b

<sup>5</sup> Sefer HaMitzvos #256

<sup>6</sup> Vayikra 19:17

<sup>7</sup> Hilchos Chovel uMazik 5:1-2, See also Igros Moshe Choshen Mishpat 1 #3

<sup>8</sup> Bava Metziah 59a, as explained by the Orach HaShulchan Choshen Mishpat 228 #1

<sup>9</sup> Erchin 16b

<sup>10</sup> Bava Metziah 58b-59a

<sup>11</sup> Ibid