



The Pardes Parsha Discussion by Rabbi Alex Israel

The Parsha Discussion: Behar – Words Hurt

Our *parsha* is the source for just how sensitive the Torah is to abusive speech. The prohibition of “Onaat Devarim” – verbal oppression – is articulated by Maimonides in the following manner:

For instance, if a person is newly religious one must not say to him: Remember your former deeds.

If a convert comes to study Torah, one must not say to him: Shall the mouth that ate unclean and forbidden food study Torah which has been given by the Lord?

If a person has been afflicted with disease and suffering, or if he has buried his children, one must not say to him in the words used by Job's companions in addressing Job: ...what guiltless man has ever perished? (Job 4:6-7). (Mishneh Torah, Laws of Sales 14:13)

Please discuss:

- What do each of these cases have in common?
- Why should a person not remind a penitent or a convert of his former life?
- Why should a person refrain from suggesting that an individual is suffering because of their sins?
- What are the friends of this sufferer thinking? Do they intend to heal or to harm? If they intend to heal, then what's the problem?

When we look at these laws we understand that they are united in the humiliation or shame that they might engender. People who have moved on in life or developed new identities, do not necessarily want to be reminded of their background. If someone is sick, they don't need to be dragged down even more, as they are told that they have caused their own misfortune. Emotional hurt is real, and the Torah

drives this home by drawing an equation between psychological injury, emotional pain, and financial damage.

How so? This law emerges from a redundancy in the language of our *parsha*. We read:

When you sell an item to your neighbor, or purchase from your neighbor, you shall not mistreat (exploit - *tonu*) one another. (25:14)

This is a law of “*Ona’ah*” which forbids financial exploitation, overcharging, and unfair profit margins. It is wrong to take advantage of an unsuspecting customer. But only a few verses later we read what seems like a repetition:

Do not mistreat (*tonu*) one another, but fear your God; for I the Lord am your God. (25:17)

Is the Torah repeating itself? The Talmud applies each verse to a different sphere:

When it says: When you sell...or purchase from your neighbor, you shall not mistreat (exploit - *tonu*) one another. (25:14) Monetary abuse is explicitly stated. How then do I realize the meaning of the verse: And you shall not mistreat one another? It is with regard to verbal abuse (*Ona’at Devarim*). (Bava Metzia 58b)

Maimonides summarizes:

Just as there is a law against defrauding in commerce, so there is a law against wronging a person by means of speech, as it is written: You shall not mistreat one another, but you shall fear God.” This refers to wounding the feelings of another by words.

...Verbal maltreatment is more severe than financial exploitation because restitution can be made for one and not the other; one is financial, while the other is personal. (ibid. 12,18)

Here is another example:

It is forbidden to call a person by their nickname, even if it is a name that he is known by, if your purpose is to embarrass that person. (Shulchan Aruch, Hoshen Mishpat 228:5)

Any speech that makes a person squirm is problematic.

So let’s discuss this:

- When have you felt hurt by speech? How did it feel?
- Can one avoid making hurtful comments? How?
- Is the ethic proposed by this law excessive?

- How about practical jokes? Are they innocent?

Shabbat Shalom!