

Snitching & Telling Secrets: Confidentiality & the Age of Twitter

- Are there any conversations about confidentiality in the Hebrew Bible and/or Rabbinic texts?

Hebrew Bible

Leviticus 19:16 (JPS 1917 translation)

Thou shalt not go up and down as a talebearer among thy people

לֹא-תֵלֵךְ רַכִּיל בְּעַמֶּיךָ

Proverbs 25:9

... do not give away the secrets of another,

סוֹד אַחֵר אַל-תִּגַּל

Proverbs 20:19

He who gives away secrets is a base fellow

גֹּזֵל-סוֹד הוֹלֵךְ רַכִּיל

Ibn Ezra, commentary to Leviticus 19:16

[This text, in the JPS 1985 translation of the text, says: Do not deal basely with your countrymen.]

The Hebrew word literally refers to commerce: “They shall plunder your wealth and loot your merchandise” (Ezekiel 26:12); “all the powders of the merchant” (Song 3:6). Just as the merchant buys from this one and sells to that one, so a slanderer tells this one what he heard from that one. (*Mikraot Gedolot, JPS*)

Hebrew Bible

Numbers 12:1, 10-11

¹ When they were in Hazereth, Miriam and Aaron spoke against Moses because of the Cushite woman he had married: "He married a Cushite woman!"

וַתְּדַבֵּר מִרְיָם וְאַהֲרֹן בְּמִשְׁנֵה עַל-אֲדֹת הָאִשָּׁה הַכִּזְבִּית אֲשֶׁר לָקַח כִּי-אִשָּׁה כִּזְבִּית לָקַח:

¹⁰ As the cloud withdrew from the Tent, there was Miriam stricken with snow-white scales! When Aaron turned toward Miriam, he saw that she was stricken with scales.

¹¹ And Aaron said to Moses, "O my lord, account not to us the sin which we committed in our folly.

וְהָעֶנָּן סָר מֵעַל הָאֹהֶל וְהִגָּה מִרְיָם מְצֻרַעַת כַּשָּׁלֵג וְהִגָּה אֶל-מֹשֶׁה וְהִגָּה מִצֻּרַעַת: וַיֹּאמֶר אַהֲרֹן אֶל-מֹשֶׁה בִּי אֲדֹנָי אֵל-נָא תִשָּׂא עָלֵינוּ חַטָּאת אֲשֶׁר נִוְאַלְנוּ וְאֲשֶׁר חָטְאָנוּ:

- What kinds of issues do we see described so far?
- What does our tradition seem to say about these issues?
- What does it mean to be a “rachil,” a talebearer, what is that?
- What kind of information do you think should be kept from being public knowledge?

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Commentary – from *The Mitzvot*, by Abraham Chill, pg 186

The Torah treats leprosy as an organic disease but regards it as the result of moral failings. Thus Miriam was stricken with leprosy immediately after she had slandered her brother Moses, and the Rabbis commented that leprosy came as a punishment for the sin of slander. Because of these moral and spiritual implications of the disease, only a priest was considered qualified to determine whether or not a person was indeed a leper and to establish when the leper had been cured.

Babylonian Talmud, *Sanhedrin 29a*, selection, with commentary from Steinsaltz Edition.

And from where is it derived that **when** the judge **leaves** the courtroom **he may not say: I deemed you exempt and my colleagues deemed you liable, but what can I do, as my colleagues outnumbered me** and consequently you were deemed liable? **About this it is stated:** “**You shall not go as a talebearer among your people**” (Leviticus 19:16), **and it says:** “**One who goes about as a talebearer reveals secrets**, but one who is of a faithful spirit conceals a matter” (Prov. 11:13).

***One who goes about as a talebearer reveals secrets* – הולך רכיל מגלה סוד** : The mishna adds this verse because from the first verse: “You shall not go as a talebearer,” it can be derived only that it is forbidden to slander another. This verse adds that one who reveals a secret is also considered a talebearer (Ĥamra VeĤayyei; Tosefot Yom Tov).

Rambam’s *Mishneh Torah Hilchot Sanhedrin 22:7, 8*

After leaving the court, it is forbidden for any of the judges to say: "I was the one who vindicated you or held you liable and my colleagues differed with me. What could I do? They outnumbered me." If he says this, he is among those to whom the words of censure, Proverbs 11:13: "He proceeds gossiping, revealing secrets" is applied. An incident occurred with regard to one student who revealed the private conversations in the House of Study 22 years later. The court had him removed from the House of Study and denounced him as "a revealer of secrets."

If either of the litigants asks the court to compose a record of the judgment, they write it for him in the following manner: "So-and-so came to this-and-this court with so-and-so, the opposing litigant, claiming this-and-this. He was vindicated" or "...held liable." The record is given to him without it mentioning the names of those who vindicated him or those who held him liable. Instead, it says merely "From the statements of the court of such-and-such, so-and-so was vindicated."

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Pirke Avot 2:4 (selected from)

Do not say something that is not readily understood in the belief that it will ultimately be understood [or: **Do not say something that ought not to be heard even in the strictest confidence, for ultimately it will be heard**].

אל תאמר דבר שאי אפשר לשמוע שסופו להשמע

Talmud – Arachin 16a

Rabbah son of R. Huna said: Whatever one says before three is not considered slander. Why? Your friend has a friend, and your friend's friend has a friend.

Anything said by a person, in confidence, to more than two people, is the same as announcing it to the world.

- *What if someone says something that is not specifically said “in confidence”?*

Hebrew Bible

Leviticus 1:1-2

¹ The LORD called to Moses and spoke to him from the Tent of Meeting, saying:

² Speak to the Israelite people, and say to them: When any of you presents an offering to the LORD...

¹ וַיִּקְרָא אֶל־מֹשֶׁה וַיְדַבֵּר יְהוָה אֵלָיו מֵאֹהֶל מוֹעֵד לֵאמֹר:

² דַּבֵּר אֶל־בְּנֵי יִשְׂרָאֵל וְאָמַרְתָּ אֲלֵהֶם אָדָם כִּי־יִקְרִיב מִכֶּם קָרְבָן לַיהוָה...

Babylonian Talmud – Yoma 4b – Steinsaltz, with commentary

The verse says: “**And He called unto Moses, and the Lord spoke** unto him from within the Tent of Meeting, saying” (Leviticus 1:1). **Why** does the verse mention **calling before speaking**, and God did not speak to him at the outset?

The Torah is teaching etiquette: A person should not say anything to another unless he calls him first. This supports the opinion of **Rabbi Ḥanina**, as **Rabbi Ḥanina said: A person should not say anything to another unless he calls him first.**

With regard to the term concluding the verse: “**Saying,**” **Rabbi Musya, grandson of Rabbi Masya, said in the name of Rabbi Musya the Great: From where** is it derived with regard to **one who tells another some matter, that it is incumbent upon the latter not to say it to others until the former explicitly says to him: Go and tell others?**

As it is stated: “And the Lord spoke to him from within the Tent of Meeting, saying [lemor].”

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That it is incumbent upon the latter not to say it – The author of the *Me'iri* adds support from the verse: “And he that is of a faithful spirit conceals a matter” (Proverbs 11:13). Even if the matter being conveyed is not secret, one should not disseminate it without receiving permission to do so.

From where is it derived with regard to one who tells another some matter, that it is incumbent upon the latter to not say it – If one tells something to another, the latter should not repeat the information to others unless the former explicitly instructs him: Go and tell others (*Sefer Mitzvot Gadol*, negative mitzvot 9; *Magen Avraham*; *Shulḥan Arukh, Oraḥ Ḥayyim* 156).

Hebrew Bible

Numbers 25:1-2

¹The LORD spoke to Moses, saying:

² Tell the Israelite people to bring Me gifts; you shall accept gifts for Me from every person whose heart so moves him.

¹ וַיְדַבֵּר יְהוָה אֶל־מֹשֶׁה לֵאמֹר:

² דַּבֵּר אֶל־בְּנֵי יִשְׂרָאֵל וְיִקְחוּ־לִי תְרוּמָה מֵאֵת כָּל־אִישׁ אֲשֶׁר יִדְבְּנוּ לִבּוֹ תִקְחוּ אֶת־תְּרוּמָתִי:

Commentary – Rashi, on *Babylonian Talmud, Yoma 4b*

Lemor is a contraction of *lo emor*, meaning: Do not say. One must be given permission before transmitting information.

Babylonian Talmud, *Sanhedrin 31a*, selection, with Steinsaltz commentary

The Gemara relates: There was a certain student, about whom a rumor emerged that he revealed a statement that was stated in the study hall and should have been kept secret, and the rumor emerged twenty-two years after the time the statement was revealed. Rav Ami removed him from the study hall as a punishment. Rav Ami said: This is a revealer of secrets and he cannot be trusted.

הוּוּא תַלְמִידָא דְנִפְיָק עָלֵיהּ קְלָא דְגַלִּי מִיְלִתָּא דְאִיתְמַר בֵּי מְדַרְשָׁא בְּתַר עֶשְׂרִין וּתְרַתֵּין שָׁנִין. אַפִּי קִיָּה רַב אַמִּי מִבֵּי מִדְּרִשָׁא, אָמַר: "דִּין גַּלִּי רְזִינָא".

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Rabbeinu Yonah, Shaarei Teshuvah 3:225

One is duty-bound to conceal the secret which his friend reveals to him in privacy, although the revealing of that secret does not constitute tale-bearing; for the revelation of one's secret is injurious to him, and leads to the frustration of his plans, as it is said, "For want of secrecy purposes are frustrated" (Proverbs 15:22). Second, the revealer of secrets no sooner emerges from the realm of the secret, than he proceeds to break faith with his confidant. And Solomon said, "He that reveals secrets goes about as a talebearer" (ibid. 20:19). That is, if you see a man who lacks the self-control to keep his tongue from revealing a secret, even though the revealing of that secret may not constitute tale-bearing between a man and his neighbor, this trait will lead him into tale-bearing (one of the four evil classes), because of his tongue's not being within the province of his control. He says also, "He that goes about as a talebearer reveals secrets" (ibid. 11:13). That is, do not entrust your secret to a tale-bearer; for since he does not guard his lips from tale-bearing, do not rely upon him to keep your secret, although you deliver your words to him in secrecy and concealment. The Torah has exhorted us not to accept slander, as it is said, "Thou shalt not accept a false report" (Exodus 23:1); and it is said, "If a ruler hearkens to falsehood, all his servants are wicked" (Proverbs 29:12), which our Sages of blessed memory have interpreted as meaning that when the ruler accepts slander and tale-bearing, his servants become wicked and go about bearing tales so as to find favor in the eyes of their master (Midrash Tehilim 54).

Amsel, *The Jewish encyclopedia of moral and ethical issues*

[In summary,] Rabbeinu Yonah rules that
(1) a person may never disclose secrets in general;
(2) even if the person listening promises not to say anything, he or she may not reveal information told to him or her confidentially; and
(3) even if the person believes that there is no reason to keep it a secret anymore, he or she may still never reveal the information.

Is there ever a time that a Jew *must* reveal secrets?

Leviticus 5:1

If a person incurs guilt -- When he has heard a public imprecation and -- although able to testify as one who has either seen or learned of the matter -- he does not give information, so that he is subject to punishment...

וַיִּפֶּשׂ כִּי־תִחַטָּא וְשָׁמְעָה קוֹל אֱלֹהֵי יְהוָה לֵד אֹרְאָה אֹו יָדַע אִם־לֹא יִגִּיד וְנִשְׂא עֲוֹנוֹ:

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Rambam's Mishneh Torah Sefer HaMitzvot, Positive Commandment 178

To testify before the judges concerning all that we know, whether it entails a loss to the one we testify about, or the saving of his money or his life. We must testify to all of this and apprise the judges of what we have seen or heard. They have proved the obligation from the Exalted One's saying (*Leviticus 5:1*): "...and he is a witness, or saw or knew..." The sin of one who transgresses this mitzvah and withholds his testimony is very great. As the Exalted One said (*Lev 5:1*): "If he does not tell, then he shall bear his sin."

Rambam's Mishneh Torah Hilchot Edut 1:1

A witness is commanded to testify in court with regard to all pertinent testimony that he knows. This applies both to testimony that will cause his colleague to be held liable or testimony that will vindicate him. With regard to financial cases, this applies only when he is summoned to testify. The source for this commandment is *Lev. 5:1*: "And should he witness, see, or know of the matter, if he does not testify, he will bear his sin."

העד מצווה להעיד בבית דין בכל עדות שיודע בין בעדות שיחייב בה את חבירו בין בעדות שיזכה בו והוא שיתבענו להעיד בדיני ממונות שנאמר והוא עד או ראה או ידע אם לא יגיד ונשא עונו

Rambam's Mishneh Torah Hilchot Shevuot 5:15

...[one is liable] if he takes an oath for a colleague that he will not give testimony that he knows or that he will not testify if he will know testimony, for he is commanded to testify. Similarly, if he tells a colleague: "[I am taking] an oath that I will never know testimony concerning you," it is an oath taken in vain, for it is not within his capacity [to be certain] that he will never know of testimony concerning him. Similar laws apply in all analogous situations.

...הנשבע לחבירו שלא אעיד לך עדות זו שאני יודעה או שלא אעיד לך אם אדע לך עדות הרי זה לוקה משום שבועת שוא מפני שהוא מצווה להעיד, וכן האומר לחבירו שבועה שלא אדע לך עדות הרי זו שבועת שוא שאין בידו שלא ידע לו עדות וכן כל כיוצא בזה.

Amsel, *The Jewish encyclopedia of moral and ethical issues*

Even if a person takes an oath not to testify or to reveal certain information, he or she must nevertheless reveal that information if summoned to a Jewish court of law, since any oath that contradicts a mitzvah is not a valid oath. The general oath at Mount Sinai to keep all the commandments takes precedence.

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Babylonian Talmud, *Pesachim 113b*, selection, with Steinsaltz commentary

The Holy One, Blessed be He, hates three people: One who says one statement with his mouth and means another in his heart, i.e., a hypocrite; one who knows testimony about another person and does not testify on his behalf; and one who observes a licentious matter performed by another person and testifies against him alone. His testimony is meaningless, as he is the only witness; consequently, he merely gives the individual a bad reputation.

שְׁלֹשָׁה הַקְדוֹשׁ בְּרוּךְ הוּא שׁוֹנְאָן:
הַמְדַבֵּר אֶחָד בִּפְּהוֹ וְאֶחָד בִּלְבָב, וְהַיּוֹדֵעַ עֵדוּת
בְּחֵבְרֵי וְאֵינוֹ מְעִיד לוֹ, וְהַרְוֹאֵה דְבַר עֵרוּה
בְּחֵבְרֵי וּמְעִיד בּוֹ יְחִידִי.

Shulchan Aruch, Choshen Mishpat 426:1

The obligation for a man to save his friend in body, money, or the like. One who saw his fellow drowning, or threatened by thieves or by a wild animal, and could have either saved him himself or hired others to save him – and he did not – or someone who heard that gentiles or informants are plotting against someone or preparing to ensnare him – and he did not reveal this to his friend and tell him – or someone who knew that a gentile or violent man was approaching his fellow, and he could have appeased him and changed his attitude towards his fellow – and he did not appease him – in all such situations, he has transgressed, “Do not stand idly by the blood of your neighbor.” (Lev. 19:16)

חייב אדם להציל את חברו בין בגופו בין בממונו ובו סעיף א':
הרואה את חברו טובע בים או ליסטים באין עליו או חיה רעה באה עליו ויכול להצילו הוא בעצמו או שישכור אחרים להציל ולא הציל או ששמע עכו"ם או מוסרים מחשבים עליו רעה או טומנים לו פה ולא גילה אוזן חברו והודיעו או שידע בעכו"ם או באנס שהו' בא על חברו ויכול לפייסו בגלל חברו ולהסיר מה שבלבו ולא פייסו וכיוצא בדברים אלו עובר על לא תעמוד על דם רעך:

Sefer Chofetz Chaim, Hilchot Rechilus, Ch 9 (selections from)

If one person knows that his friend wants to develop an association with someone (in business, marriage, etc.), and he knows that his friend would definitely be adversely affected by such and association, he must inform his friend in order to save him from harm...
...provided that the five conditions outlined in the next paragraph are satisfied.

...What kind of situations do you think this covers?

...What conditions do you think must be satisfied?

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Sefer Chofetz Chaim, Hilchot Lashon Hara – A “refresher” on Lashon Hara...

Actually, only one type of Lashon Hara (lit. “evil speech”) reflects lies. Speaking lies (slander) is called “motzi shem ra” – literally spreading a bad name. It’s pretty easy to imagine how lies, and even exaggeration, can unfairly damage someone’s reputation. There are two commandments that explicitly prohibit lying:

- 1) *Lo tisa shema shav* – you shall not utter a false report. Ex. 23:1)
- 2) *Midavar sheker tirchak* – from a false matter you shall distance yourself. (Ex. 23:7)

Note the wording of the mitzvot—neither of them tell us to say the truth, but rather to refrain from telling lies. However, two cases in the Talmud actually advocate lying under certain circumstances.

1. In the dispute between Beit Shammai and Beit Hillel: “*keitzad merakdim lifnei hakallah* – *how does one dance before the bride?*” They address the issue of how to describe the (ugly) *kallah* to her groom: Beit Hillel advises one to say “she’s beautiful” and Beit Shammai says “be honest.”

The Talmudic commentaries deal with the conflict between the position of Beit Hillel and the commandments that we mentioned above. The proposed resolutions are:

- 1) The section in Exodus refers to perjury (court situations) so that there is no actual commandment prohibiting lying in general;
- 2) The beauty is the bride’s insides, her good deeds;
- 3) Shalom (peace) is an overriding factor.

(Note: This does not mean that we can lie indiscriminately. There are plenty of sources on a more Rabbinic level that extoll the virtues of truth as a Jewish value.)

2. The other case discussed in the Talmud involves someone who has purchased an item at a “no exchanges, no returns” market. The Talmud instructs us to say that it’s a nice buy, regardless of what it is in reality. In fact, unlike the “*keitzad merakdim*” case, ALL authorities agree that the friend should compliment the purchase. (The Tosafot suggest that in case (1) perhaps Beit Shammai did not want to make a public ruling advocating a lie, though perhaps the rationale of either (a) or (c) is applicable.)

Both of these cases show that truth is not always the deciding factor in ethical Jewish speech. In fact, the definition of Lashon Hara does not reflect truth or falsehood at all, but the damage that it can inflict.

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But sometimes we speak Lashon Hara because we forget that in many cases, truth can be subjective (like “beauty is in the eye of the beholder”) or elusive, in that we don’t always know the whole picture.

One of the most fundamental commandments related to the subject of Lashon Hara is Leviticus 19:15 – “*B’tzedek tishpot amitecha,*” in righteousness shall you judge your kinsman. This verse commands us to give the benefit of the doubt.

Very often there are situations in which several “stories” are possible. In the case of a G-d fearing person, we are expected to judge favorably, even to believe that there may have been facts of which we were not aware. Often gossip reflects a denial of the possibility of mitigating circumstances that can shed light on the person’s intentions or other background information.

There are 7 conditions that must be satisfied for when speaking L”H is permissible:

- (1) The information must be true.
- (2) The information cannot be exaggerated.
- (3) The speaker should verify that the information is an objective violation of Jewish Law.
- (4) The speaker must have pure intentions.
- (5) The speaker should first approach the transgressor before resorting to speaking L”H about him.
- (6) If the purpose can be achieved in a way other than speaking L”H, that alternative should be tried first.
- (7) The L”H should not cause more damage to the subject than would have been decreed in a Jewish Court.]

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Sefer Chofetz Chaim, Hilchot Rechilut, Ch 9 (selections from)

These are the **5 conditions** required in order to speak Rechilut¹ **for a constructive purpose**:

- (1) The speaker should take care not to conclude immediately that the subject is wrong, but rather review the matter carefully to be certain that the action (or potential result) is objectively wrong.
- (2) The speaker should not exaggerate the severity (or degree of violation) of the issue.
- (3) The speaker's intent should be exclusively for constructive purposes, such as to prevent harm, and not out of hatred of the subject. Included in this requirement is an additional requirement that the speaker make certain that his words will have the desired effect. Sometimes one's efforts for good can result in the opposite: the listener does not heed the speaker's words, but at a later point, when the listener is angry with his partner, he might say, "Now I understand why X (the speaker) warned me about you...." If the speaker recognizes the listener to have a tendency to speak Rechilut (as in this example), he would be forbidden from saying anything since that would cause the listener to speak Rechilut (which is a violation of the prohibition "Do not place a stumbling block before the blind.")
- (4) If the speaker can achieve the constructive purpose with a means other than revealing the negative information to the affected party, he should do so and not speak Rechilut.
- (5) The Rechilut may only be related provided that no actual harm comes to the subject. While the negative result of the listener breaking off ties to the subject does affect the subject, that is permissible. However, other negative effect, such as rumors about the subject or loss of business from others, would be prohibited. To speak Rechilut under such circumstances requires additional conditions, which will be discussed in paragraphs 5 and 6. Speaking Rechilut for constructive purposes would also be forbidden if it would cause damages greater than would be decreed by a court of Jewish Law.

¹ Rechilut is sharing information about a subject which will incite or increase the listener's ill feelings against that subject. Often the information is derogatory, in which case it is Lashon Hara as well as Rechilut. For example: Reuven tells Shimon that Levi is obnoxious (which is Lashon Hara). Then Shimon tells Levi what Reuven said about him (which could make Levi angry at Reuven, and is Rechilut).

Lashon Hara is any derogatory or damaging statement against an individual. In Hilchot Deot 7:5, Maimonides supplies a litmus test for determining whether something is or isn't Lashon Hara: Anything which, if it would be publicized, would cause the subject physical or monetary damage, or would cause him anguish or fear, is Lashon Hara.

Sefer Chofetz Chaim, Hilchot Rechilut, Ch 9 (selections from)**3. EVALUATING REAL DANGER BEFORE SPEAKING RECHILUT**

Now let us clarify another point: how to respond when someone expresses his intentions to harm another. For example, Shimon tells Reuven his intentions to harm Levi; perhaps Shimon says that if he encounters Levi in a particular place he will strike Levi or abuse him in some other way, or perhaps Shimon says he wants to cheat Levi in monetary matters.

Reuven must evaluate whether Shimon poses a real danger to Levi. If Shimon has harmed others in such ways in the past, or if Shimon is not the kind of person to boast about his damaging powers without meaning to take action, Reuven must warn Levi. Levi could then take necessary precautions, and therefore maybe save himself from harm.

Note that Reuven can only warn Levi as outlined by the conditions required to speak Rechilut. This includes first speaking to Shimon to convince him not to harm Levi (unless Reuven realizes his warning will not help).

Sefer Chofetz Chaim, Hilchot Rechilut, Ch 9 (selections from)**4. CONSTRUCTIVE RECHILUT: THE LISTENER MUST TAKE ACTION**

Although warning another to prevent harm coming to him is a great mitzvah (positive act) included in the command to promote peace, the speaker must carefully evaluate whether his involvement will have an impact. The listener must follow the advice necessary to prevent harm (in the example above, Levi would have to avoid the place Shimon specified or be very careful there).

Many times the opposite happens. When the listener hears how the subject wants to harm him, he gets angrier with the subject and instigates a quarrel or even attacks first! By speaking Rechilut in this case, a greater “machloket” (dispute) is created, Heaven forbid. For this reason, before speaking Rechilut, a speaker must think carefully about the situation and how he should act.

Snitching & Telling Secrets: Confidentiality & the Age of Twitter
Sefer Chofetz Chaim, Hilchot Rechilut, Ch 9 (selections from)

5. NOT CAUSING DAMAGE TO THE OTHER PARTY

Regarding condition 5, that someone may speak Rechilut to warn one partner about another provided the one partner will not harm the other partner, this is when the partners have not yet finalized their agreement.

However, if the partners have already finalized their agreement (i.e. with a contract or other indication that they cannot go back, according to the laws that govern the type of arrangement), it is forbidden to speak Rechilut if the party being warned will take any action against his partner. After a partnership is finalized, even breaking off the partnership is considered a concrete damage against the other partner.

Even if the action is not more severe than what would be approved by a Beit Din (court of Jewish Law) under the circumstances, it is forbidden to speak the Rechilut. For if this person appeared before a Beit Din, his testimony would not be admitted, since two witnesses are required. The condition not to cause more damage than what would be decreed in a court of law means that if the same group of people involved went to court for a decision.

Only if the listener will not take any action against his partner, but instead use the information to protect himself, it is permissible to speak Rechilut to warn the listener.

If there are two people who witnessed the information which they want to repeat as a warning, and the listener would respond to the Rechilut in a way that would not damage the other party to a greater extent than a Beit Din would decide, they may tell the listener. However, if the listener would take action that would inflict more damage than a Beit Din would decree, even two people cannot tell him the Rechilut.

To summarize:

If two parties have already finalized their agreement, someone can only tell Rechilut to warn one party if that will not take action that causes more damage than the monetary judgement that would be made in that party's favor by a Jewish Court; if there is only one witness, the Rechilut may be told only if the party will not take action but only take measures to protect himself.

What kind of cases can you think of that would fall into this discussion?

...Medical? ...Marital? ...Legal? ...Business?

...Classroom setting? ...Professional ethical situations?

6. A BEIT DIN MUST BE CONSULTED BEFORE TAKING ACTION

The above leniency of speaking Rechilut based on two witnesses has little practical impact. Although it removes the speakers from the prohibition of speaking Rechilut [because there are two witnesses the information would be taken as testimony in a Beit Din], the speakers may be helping the listener to commit sins.

The listener can only suspect that the information is true and investigate. If he believes it, he violates "*b'tzedek tishpot amitecha*" [Lev. 19:15 "Judge your people with righteousness," i.e. give the benefit of the doubt].

Further, if the listener is the type to take matters into his own hands, he may take action which is not permitted. It is very difficult for bystanders and certainly the involved party to evaluate how a Beit Din will view the evidence. Therefore, no action should be taken unless a Beit Din authorizes it.

Since it is very unlikely that all the conditions would be present for two witnesses to reveal information to someone for him to take action on it, the witnesses should not repeat the Rechilut to someone inclined to take action unless they are instructed to do so by a Beit Din. By being careful in this manner one avoids making mistakes in matters of speech, and one who guards his speech guards his soul from harm.

7. RESPONDING TO A DAMAGE THAT HAS OCCURRED

In order to tell the victim any information regarding harm that someone caused him, the speaker must satisfy all the conditions discussed earlier in this chapter. In addition, before speaking to the victim, the speaker must rebuke the perpetrator for his actions; if the perpetrator does not accept the rebuke the speaker may then discuss information with the victim.

To do less than fulfill these conditions yet tell the victim the information would be forbidden. The Chafetz Chaim explains that even if a speaker does not intend to incite ill will between people, but does incite ill will, he is guilty of speaking Rechilut. Therefore, someone cannot say "This isn't Rechilut – I want to help Reuven get his money back from Shimon." Telling Reuven about what Shimon did to him is Rechilut, and the speaker must satisfy the required conditions before he says anything to Reuven.

It is very important not to jump to conclusions and decide who is wrong in a situation; being too hasty to judge against someone can be a violation of Rechilut. The speaker could be incorrect in his assessment of the situation, and cause much ill will about false information.

Snitching & Telling Secrets: Confidentiality & the Age of Twitter
Amsel, *The Jewish encyclopedia of moral and ethical issues*

Although it is clear that sometimes a person must reveal private information when necessary, in most situations where people want to tell others some private details about someone, it is their Jewish obligation to remain silent.

What kind of application do you think this has on our modes of communication available to us today?

...Facebook...Instagram...Twitter...Television...Cameras on our iPhones...Etc...?

What is the impact on lives today, if any, of these modes of transmitting information?

Are there issues to consider?...

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