

## Hurting with Words

“אונאת דברים”

“*Sticks and stones will break my bones, but words will never hurt me.*” Everyone’s familiar with the phrase. Even still, most people inevitably become aware of the harsh reality that words **can** indeed cause much hurt amongst family, friends, co-workers, acquaintances, and all other variety of relationships in our lives.

“דרכיה דרכי נועם וכל נתיבותיה שלום” – “*The ways of Torah are pleasant, and all of its paths lead towards peace*”: The objective of Torah is to create a society which lives in peace & serenity, without quarrels amongst from one man to his brother. To that end, one of the 613 Mitzvohs of the Torah is the prohibition of harming others with ones words: “אונאת דברים”.

In this session, we’ll explore some of the parameters of this Mitzvah:

- What’s included within the prohibition of ‘harming others with words’?
- Does this mitzvah apply even if I need to rebuke someone for their misbehavior?
- If someone insults me, am I expected to just sit there like a stone & get walked-over?

## 1 – PRIMARY SOURCES: TORAH, MISHNA, & GEMARA

### Source 1. Vayikrah 25:14, 17

<p>Verse 14 “When you sell a product amongst your nation, or when you purchase from amongst your nation, one man shall not take-advantage of his brother”</p>	<p>י"ד - וְכִי־תִמְכְּרוּ מִמְכָּר לְעַמִּיתְךָ אֹךְ קָנָה מִיָּד עַמִּיתְךָ אֶל־תֹּנֶנּוּ אִישׁ אֶת־אֶחָיו:</p>
<p>Verse 17 “One man shall not take-advantage of his nation, and you should fear you G-d, for I am Hashem, your G-d”</p>	<p>י"ז - וְלֹא תֹנֶנּוּ אִישׁ אֶת־עַמִּיתוֹ וְיִרְאַתָּה מְאֹלְהֶיךָ כִּי אֲנִי יְהוָה אֱלֹהֵיכֶם:</p>

The Torah seems to warn us twice about over-charging in business. Given that absolutely nothing in the Torah is redundant, what is being conveyed by verse 17, “*don't take advantage*”?

### Source 2. Bava Metziah 58b

<p><b>Mishna:</b> Just as there is <i>Ona'ah</i> by purchasing &amp; selling, so too there is <i>Ona'ah</i> with words: One should not say to another “How much is this (product)”, when, actually he has no intention to purchase it. If he’s a Baal Teshuva (one who used to not be Torah-observant, but subsequently became so), don’t say to him “Remember your previous deeds/life!” If he’s the son of converts, don’t say to him “Remember the deeds of your parents”, as it says in the verse “<i>Do not afflict or pressure a convert</i>”</p> <p><b>Gemara:</b> The Rabbi’s taught: “<i>One man shall not take-advantage of his nation</i>” – This verse is referring to harming another with ones words. You may challenge and say, no, perhaps the verse is simply referring to harming monetarily! But that cannot be, because it already says in the previous verse “<i>When you sell a product amongst your nation, or when you purchase from amongst your nation, one man shall not take-advantage of his brother</i>”, behold: afflicting with money has already been stated! So then how shall I justify the verse “<i>One man shall not take-advantage of his nation</i>”? Perforce, it must be referring to harming with words.</p> <p>How so (i.e. what does this mean practically)? If he’s a Baal Teshuva (one who used to not be Torah-observant, but subsequently became so), don’t say to him “Remember your previous deeds/life!”</p>	<p>מתני' כשם שאונאה במקח וממכר כך אונאה בדברים לא יאמר לו בכמה חפץ זה והוא אינו רוצה ליקח אם היה בעל תשובה לא יאמר לו זכור מעשיך הראשונים אם הוא בן גרים לא יאמר לו זכור מעשה אבותיך שנאמר (שמות כב, כ) וגר לא תונה ולא תלחצנו :</p> <p>גמי' ת"ר (ויקרא כה, יז) לא תונו איש את עמיתו באונאת דברים הכתוב מדבר אתה אומר באונאת דברים או אינו אלא באונאת ממון כשהוא אומר (ויקרא כה, יד) וכי תמכרו ממכר לעמיתך או קנה מיד עמיתך הרי אונאת ממון אמור הא מה אני מקיים (ויקרא כה, יז) לא תונו איש את עמיתו באונאת דברים</p> <p>הא כיצד אם היה בעל תשובה אל יאמר לו זכור מעשיך הראשונים</p>
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If he's the son of converts, don't say to him "Remember the deeds of your parents".

If he's a convert, and he's coming to learn Torah, don't say to him "a mouth, which used to eat non-Kosher meat, bugs, and all sorts of other creepy-crawly's, is coming to learn Torah, which was given from the mouth of the Mighty-One?!!"

If suffering is befalling him in his life, or if he's plagued by illness, or if he's had to bury his children, do not speak to him in the way that Iyov's friends spoke to Iyov, by saying "*Is not your piety your confidence, Your integrity your hope?*" (Since you, who encouraged others, are so quick to lose heart when you are afflicted, it would seem that your professed piety is not genuine. **Rashi**)

If wagon-drivers are requesting from you produce, don't tell them "Go to so-&-so, he sells produce!", when you know that he in fact has never sold produce in his life. R' Yehudah says that one should also not hang his eyes on a product, while he has no money.

Why [are all of these things prohibited – since, a person could claim "*Oh, me, no! I only had good intentions!*" **Rashi**]? Because these are all matters which are only known in ones heart (i.e. nobody knows his negative intentions), and, regarding matters which are known only to one's heart, the verse says "*And you should fear your G-d*".

R' Yochanan said in the name of R' Shimon: greater is *ona'as devarim* than *ona'as mamon*, for by the former it says "and you shall fear from your G-d", whereas by the latter it does not say this.

R' Eliezer explained: this is with one's body/self, whereas this is [only] with ones money.

R' Yishmael explained: this can be returned, whereas this cannot be returned.

אם היה בן גרים אל יאמר לו זכור מעשה אבותיך

אם היה גר ובא ללמוד תורה אל יאמר לו פה שאכל נבילות וטריפות שקצים ורמשים בא ללמוד תורה שנאמרה מפיה הגבורה

אם היו יסורין באין עליו אם היו חלאים באין עליו או שהיה מקבר את בניו אל יאמר לו כדרך שאמרו לו חבריו לאיוב (איוב ד, ו) הלא יראתך כסלתך תקותך ותום דרכיך

אם היו חמרים מבקשין תבואה ממנו לא יאמר להם לכו אצל פלוני שהוא מוכר תבואה ויודע בו שלא מכר מעולם ר"י אומר אף לא יתלה עיניו על המקח בשעה שאין לו דמים שהרי הדבר מסור ללב וכל דבר המסור ללב נאמר בו ויראת מאלהיך (שהרי כל הדברים הללו אין טובתן ורעתן מסורה

להכיר אלא ללבו של עושה הוא יודע אם לעקל אם לעקלקלות ויכול הוא לומר לא עשיתי כי אם לטובה הייתי סבור שיש לך תבואה למכור או הייתי חפץ לקנות מקח זה. רש"י)

א"ר יוחנן משום ר"ש בן יוחאי גדול אונאת דברים מאונאת ממון שזה נאמר בו (ויקרא כה, יז) ויראת מאלהיך וזה לא נאמר בו ויראת מאלהיך ור' אלעזר אומר זה בגופו וזה בממונו רבי שמואל בר נחמני אמר זה ניתן להישבון וזה לא ניתן להישבון

The Gemara clarifies that the 1<sup>st</sup>-verse (14) is the prohibition of afflicting another in a monetary capacity, whereas the 2<sup>nd</sup>-verse (17) is the prohibition of afflicting another with ones words.

Let's summarize the various examples of what's included in *Ona'as Devarim*:

**Mishna**

1. Inquiring about the cost of a product, while having no intention of purchasing it
2. Reminding a Baal Teshuva of his previous misdeeds
3. Reminding the child of a convert of the previous actions of his parents

**Baraisa**

1. Telling a convert "The mouth which used to eat...is coming to learn Torah!?"
2. Admonishing a person while he's in the midst of personal-suffering
3. Advising someone to go purchase by a seller, whom you know has no product
4. **R' Yehudah**: Inquiring about a product, while he has no money with which to actually purchase it with

**QUESTION: What is the connection between *Ona'as Mamon* and *Ona'as Devarim*?? What does over-charging someone in business have to do with harming someone with words?**

Not only are they compared (as it says in the Mishna "Just as there is *Ona'ah* by business, so too by words..."), but, moreover, the entire source for the prohibition of *Ona'as Devarim* is derived from the repetition of the prohibition of *Ona'as Mamon*! They seem to be intrinsically connected...how so?!?!

*What do you think??*

**2 – SOMETHING JEWISH: ANSWERING A QUESTION...WITH A QUESTION!**

To begin answering this question, let's have a close look at element of another one of the inter-personal mitzvohs: giving rebuke.

**Source 3. Vayikrah 19:17**

<p>"Do not hate your brother in your heart; You shall surely rebuke your nation, but do not bear upon him a sin"</p>	<p>לֹא-תִשְׂנֵא אֶת-אָחִיךָ בְּלִבְבְּךָ הַזֶּה תוֹכִיחַ אֶת-עַמִּיתְךָ וְלֹא-תִשָּׂא עָלָיו חַטָּא:</p>
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The Torah instructs that we are required to rebuke our brethren. When you see someone doing something wrong, don't respond *passively* by bearing resentment towards him ("Do not hate your brother in your heart"), rather, respond *actively* by lovingly pointing out to him what's he's doing wrong, so that that he can mend his ways. The verse qualifies, though, that the rebuke should not result in the other individual becoming embarrassed<sup>1</sup>. However, short of embarrassing the other person, one is required to rebuke his fellow *even if this will hurt him somewhat* (which, as experience shows, almost *all* rebuke inevitably results in, at least to some degree!).

<sup>1</sup> Erchin 16b

**Question:** How can this be?? What about the prohibition of *Ona'as Devarim*; harming another with ones words!?! How can the mitzvah of rebuke be justified in light of the prohibition of harming another with ones words??

### *What do you think??*

We find a similar problem regarding the prohibition of hitting: On the one hand, the Torah prohibits one from hitting his fellow, on the other hand there are certain situations in which one is indeed allowed to hit another, for example, most notably, a father to his child <sup>(See disclaimer below)</sup> <sup>2</sup>. How do we resolve this contradiction?

This problem was addressed by one of the great sages of the previous century, R' Moshe Feinstein zt"l:

#### **Source 4. R' Moshe Feinstein, Igros Moshe, Choshen Mishpat 1:3**

The Rambam (Hilchos Chovel, 5:1) writes that one who hits another *out of aggression* has transgressed a negative commandment.

This implies that if it's *not* out of aggression, it's not included in the prohibition whatsoever!

The reasoning is, that, the source of the prohibition (of hitting) is said in the context of something which has happened in the past (i.e. 'getting-back' at someone), and this is certainly out of anger. This is in contrast to hitting someone to prevent them from doing something wrong, such as a father's obligation to educate his child.

ועיין ברמב"ם פ"ה מחובל ה"א שכתב  
ה"ז עובר <sup>3</sup> לגירסא דידן המכה דרך נציון  
בל"ת, משמע דאם אינו דרך נציון לא הוי  
בכלל הלאו כלל, והוא מטעם שהלאו נאמר  
בחייבי מלקיות שלא יוסיף ומלקות כיון  
שהוא על העבר ה"ז דרך נציון, שלכן אין  
להחשיב זה שמכין לאפרושי מאיסורא  
ולקיים עשה וכן אב את בנו לחנכו להותר  
מכללו שהרי אינם דרך נציון

R' Moshe explains (based on an inference in the wording of the Rambam – “דרך נציון”) that the Torah-prohibition of hitting only applies if the intent is to ‘get back’ at the other. However, where ones intention is for the other’s benefit in some capacity – for example, to remove them from danger, either immediate or eventual – then there’s no violation. The same can be said regarding embarrassing another: only when ones intentions are not for the others benefit is there a violation, whereas, if one is fundamentally attempting to help the other, and he inadvertently becomes embarrassed, there is no prohibition. (Obviously, he should try to limit this as much as reasonably possible)

The same can be said regarding *Ona'as Devarim*: the prohibition is specifically when one says (or does<sup>4</sup>) something to another with the *intention* to cause them distress. If, however, one only *inadvertently* distresses them (i.e. in the case of rebuke), this is not included in *Ona'as Devarim*.<sup>5</sup>

<sup>2</sup> **Disclaimer:** Regarding the parameters, appropriateness, and myriad of details involved with this sensitive issue, each individual should seek guidance from an experienced, qualified and trustworthy halachic expert.

<sup>3</sup> 'נציון' הוא מלשון 'נצים' שפרש"י "מריבים" [שמות ב:י"ג]. הגרש"מ שליט"א

<sup>4</sup> The commentators point out that this prohibition is not limited to harming with words, but, rather, includes any action one does towards another which causes them distress: ה"ח בחובת השמירה פי"ד ר' יונה באגרת התשובה, יראים ק"פ, חיי"א קמ"ג, ה"ח בחובת השמירה פי"ד

<sup>5</sup> הסבר זה מצאתי ע"י הגאון הרב יצחק ברקוביץ שליט"א בספר החשוב "מראה המקומות על ההלכות בין אדם לחבירו" כרך א'

But why, indeed, should this be so??

### **3 – ALL ABOUT INTENT**

Let's return to address the perplexing connection between *Ona'as mamon* and *Ona'as devarim*:

*Ona'as mamon* means to exploit another monetarily. More deeply, R' Shamshon Rafael Hirsch zt"l explains that the root of the word "Ona'ah" means "to save" (not 'save', as in from danger, but, rather, 'keeping a record of' – or 'recording'). One exploits another by 'noting', or 'recording' his flaws & weaknesses, in order to eventually take advantage of these lacking's.<sup>6</sup>

When one notes the weaknesses of another, in order to take advantage of him in a financial capacity, this is called *Ona'as mamon*.

When one notes the weaknesses of another, in order to take advantage of him in an inter-personal capacity, this is called *Ona'as devarim*.

One Step Deeper:

**Why** would one exploit another financially (*Ona'as mamon*)? Obviously, because he seeks to gain – he'll get money.

**Why** would one exploit another inter-personally (*Ona'as devarim*)? Same thing: he seeks to gain – he'll make himself feel bigger. By putting another down – by exploiting his weaknesses, and aggrandizing himself above him – it gives the offender a sense of gratification; of being bigger.<sup>7</sup>

According to this, *Ona'as mamon* & *Ona'as devarim* are, fundamentally, the exact same thing ☺

<sup>6</sup> Heard from R' Yitchok Berkovitz *shlita*

<sup>7</sup> This is, of course, totally illusory. In fact, in basic Jewish consciousness, the opposite is true, as it says in Perkei Avos "איזהו מכובד המכבד את הבריות" – "Who is a respected individual? One who respects others!"

EXAMPLES

1. Arthur and Shimon are both busy guys, but they'd really like to find time to schmooze and catch up. So, they agreed that the best time to speak would be Wednesday evening at 11:30pm. When Arthur tries to call, he accidentally dials the wrong number, awakening George from his much-needed slumber, and causing him no small degree of aggravation. *Has Arthur violated Ona'as devarim?*
2. Ron and Larry made up to meet, to discuss a project, in the upcoming month. Ron forgot to take note of scheduled meeting, and, sure enough, when the day he did not show up. Larry was offended by this. In so far as he didn't *intentionally* miss the appointment, *has Ron violated "Ona'as devarim"?*
3. Mazal tov! Rob and Susy are newly-weds. One of their wedding-presents is a new, fancy oven. Out of pure curiosity, Rob wants to know how much this new, fancy oven is worth. So, he heads over to the store, and simply asks. After hearing the price, he turns to walk out, but the store-worker implores him "Too much for you? Let's make a deal". Rob feels in a bind: he knows that he has no intention to purchase, but he's uncomfortable to say so explicitly. "10% off, special for you, sir!" Rob remains silent. "OK, 15%, and special oven-mitts, on the house!" Rob finally admits his intentions, and, not surprisingly, the seller is not too pleased. *Is this a violation? If yes, what could Rob have done to avoid violating Ona'as devarim? (i.e. is there a way of clarifying an items price without running in to Ona'as devarim?)*
4. Albert is waiting in the rather large carpool line to pick up his daughter from school. After he's finally loaded his daughter and her friends in to the van, and is about to pull out, Albert spots his good ol' friend Hirschel, who he's not seen since coming back from his recent trip to Israel. Albert's dying to catch up, so he rolls down his window, shouts "Hey, tough guy! What: did you forget how to use your phone!??", and the 2 buddy-buddies start a conversation...in the middle of the carpool line. The cars behind them are less enthused to hear about Herschel's trip... *Is this a violation of Ona'as devarim?*