

WHAT HARM?

by Eliyahu Safra

What harm in the student altering an answer on an exam in order to avoid a failing grade? Or copying a couple of paragraphs from an article in order to complete an assignment?

What harm?

Would the world really stop spinning on its axis if such minor infractions were tolerated? After all, the fact of the matter is that such infractions occur each and every day. Is the world really any worse off?

What harm is there in a small bit of deception -- a small lie -- if no one gets hurt in the process?

Such a laissez faire attitude might carry the day amongst those for whom honesty and dishonesty are not character traits but tolerable -- and equally allowable -- strategies for getting ahead in the world; to be employed as the situation dictates and used for advantage.

But there is a reason that "laissez faire" is a language other than Hebrew. Jewish law is clear in the matter of such ethical dishonesty: engaging in any form of intellectual dishonesty, including cheating on exams, plagiarizing, is strictly forbidden. It is non-negotiable. Such unethical behavior is not just a matter of "situational ethics"; it constitutes genevat da'at, which means, literally, "theft of the mind," but is more commonly understood to be "misrepresentation" -- a much more global and all-encompassing category.

A "gonev da'at" is one who intentionally misleads or gives a false impression through his words or deeds. It does not matter if "no one is harmed" or if the dishonesty was not actually witnessed by one's fellow. It is always and absolutely wrong. It is a matter of Torah, for the Torah demands that each one of us behave in an honest and forthright manner. Therefore, any kind of misrepresentation is prohibited...

What's more, it is foolish for anyone to think that any misdeed is ever without witness. A misdeed is always witnessed. Perhaps not by a fellow, but certainly by God. And most certainly by one's own heart.

What is Genevat Da'at?

- One who sells another an object with a blemish must inform the buyer of the blemish even if the object is worth the price asked for with the blemish.

- One should not invite his neighbor to eat at his table if he knows quite well that the invitation will be refused.
- One should not pretend to give another a present knowing full well that the other will not accept it.
- One should not say one thing with the mouth and mean something different in the heart; nor show one's neighbor one honor but not really mean it deep in the heart.

I'm sure it is not much of a stretch for any of us to imagine ourselves in a situation very similar to those that are expressly forbidden here. How many times have we praised -- or acquiesced in praise of -- a co-worker who we felt was undeserving of such praise? How many of us have "re-gifted" something, passed along a present that we did not really care for or want? How many of us have sold -- or given away -- a car knowing that there was a -- very minor! -- "blemish" having to do with its transmission or engine, or perhaps some hidden rusting of the chassis?...

These everyday examples are almost dismissible in their triviality. Goodness, everyone does things like that, don't they? What's the big deal? None of these things is likely to really hurt anyone. What's the big deal? They are minor trespasses at their worst, right?

They certainly don't represent the kind of blatant lies that cause real damage. So, What's the harm?

There's that question again. What's the harm? What's the big deal? What are those rabbis getting so riled about?

Ironically, the rabbis understood these kinds of trespasses to be exactly as trivial as one might argue. However, to them, it is the triviality, the everydayness of the trespasses which makes them so dangerous. They are "soft" lies. "Gentle" lies. Even, "well meaning" lies. As such, they are generally hidden from the person that they are directed at. Isn't it better to "protect" another's feelings than tell the truth?

Perhaps one could try to argue that it is so, but our rabbis would vehemently disagree. In fact, they believed that these trespasses are worse than blatant lies, precisely because of their hidden nature. To them, the fact that "no one knows" is their greatest harm. They are more serious than outright theft because of, not despite, their insidious nature...

[This] is completely consistent with the entire thrust of Jewish law and ethics. The "inside" must match the "outside" in Judaism. It is not enough to "appear" holy if you are not similarly pure in your heart. Likewise, a person of true spirituality will always have that spirituality mirrored in his or her outward appearance...

Our Sages taught that, as wrong as it is to steal, that wrong is not necessarily irredeemable. It is possible to return or replace that which was stolen. However, in the case of wronging with words, the harm is insidious and more permanent. Once spoken, words cannot be taken back. They

continue in a reality defined by themselves. In Shakespeare's words - a poet, not a rabbi:

"Who steals my purse steals trash: 'tis something, nothing; Twas mine, 'tis his, and has been slave to thousands; But he that filches from me my good name Robs me of that which not enriches him. And makes me poor indeed."

To wrong one with words is not limited to insults or even wrongful accusations. The ways to wrong one with words are as varied and infinite as the many ways it is possible to "damn with faint praise" or create a rhetorical falsehood to flummox another. In fact, wronging with words can be as "innocuous" as being playful with a shopkeeper. For example, bothering a shopkeeper with questions about how much his goods cost when you have no intention of making a purchase.

Note that intention is essential here. There is nothing wrong with asking about prices or comparative shopping. What is wrong is posing as a shopper when you have no intention of buying.

Conversely, if you go into a shop looking for an item and the shopkeeper does not carry it, he wrongs you with words if he directs you to someone who cannot supply the item either, even if the intent is for the buyer to take interest in some other item.

Are there any words spoken more fondly than, "Remember when?" These words can be an invitation to fondly reminisce and happy recollections of good times. However, if these very same words are used to remind a man of his former bad ways after he has repented, then they represent a terrible transgression. If someone has wronged you and has come to you with sincere repentance and you have forgiven that person, then it is wrong for you to remind that person of the wrong. Even if he has wronged you again.

There are few people in the Jewish community as revered as teachers. For teachers carry the hope and promise of the future in their hands when they set about the task of educating. However, has there ever been a teacher who has not stood in front of a classroom and looked upon a gathering of students, recognizing one who he knew had not prepared adequately and asked that student, for the answer to the question? To ask a question of one whom you know does not know the answer is wronging that person with words.

The student is wrong to be ill-prepared, but the teacher commits a graver trespass to wrong the student in such a way.

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