

RECHILUT TOLD IN CIRCUMSTANCES THAT MAKE IT SEEM BELIEVABLE

by capalon-staff

While Lashon Hara causes damage to the subject (in reputation, finances, emotional anguish or other), Rechilut causes hatred toward the subject, or between the listener and the subject.

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RECHILUT TOLD IN CIRCUMSTANCES THAT MAKE IT SEEM BELIEVABLE

1. Rechilut spoken in front of a group

It is forbidden to accept Rechilut even if it is spoken publicly, in front of several listeners. The fact that the subject will most likely hear what was spoken about him (because the speaker said it in front of so many people, and as a result people will talk about it), does not establish the information as true. The listener can only suspect the information, and investigate as it pertains to him.

2. Rechilut spoken in front of the subject

Just as it is forbidden to accept Lashon Hara when spoken in front of the subject (Hilchot Lashon Hara 7:2), so too it is forbidden to accept Rechilut spoken in front of the subject.

An example of speaking Rechilut in front of the subject would be if A, B, and C are standing together and A informs B of what C said about him behind his back. Even if C remains quiet and does not defend himself, this is no proof that the information is true. Further, even if C typically does respond

and defend himself, his silence does not confirm the validity of the speaker's statement. This was discussed at greater length in Hilchot Lashon Hara.

One should not believe Rechilut spoken under these conditions (i.e. in front of the subject) even if the speaker is not violating the prohibition (Lev. 19:16) "Lo telech rachil b'ameicha - Do not act as a gossip-monger among your people". For example the speaker tells the listener to be careful in dealing with someone since that person wants to harm him. How much more so should one not believe Rechilut or Lashon Hara spoken alone, with no constructive intent.

Furthermore, the fact that the speaker speaks Rechilut or Lashon Hara without any constructive purpose implies that the information may not be true. It is prohibited to speak Rechilut even if it is true. By relating true but derogatory or inciting information, the speaker violates "Lo telech rachil b'ameicha," along with many other prohibitions discussed in the introduction. Since the speaker freely violates these transgressions, he would be just as likely to exaggerate or lie about the information he relates.

3. Rechilut that identifies the source of past harm

If someone's livelihood was harmed, and he does not know the cause, he should not suspect that one of his people caused it. This is in accordance with the commandment (Lev. 19:15) "B'tzedek tishpot amitecha - Judge your people in righteousness".

For example, if a local authority takes action against a merchant (taxes, fines, forced store closing, etc.), the merchant might wonder whether this authority initiated the action on his own or someone informed the authority of information (true or otherwise) that motivated the authority to act. The merchant should not suspect someone of being such an informant.

Even if others told the merchant that someone spoke against him, it would be prohibited to believe them. The merchant could only suspect that the information was true; he should investigate in order to protect himself from further harm.

Even if others initiated a dispute with the suspected individual and accused him publicly, and the accused remained silent, the merchant should not believe what they are saying. Although there is a commandment to maintain a good reputation (Num. 32:22, "...you shall be clear before the Lord and before Israel"), the accused may have realized that those accusing him would not listen to any protestations. Instead, the accused may have decided to merit being one who "is subjected to embarrassment by improper speech but does not respond".

However, if the merchant has evidence to support a suspicion that someone spoke against him and informed the authorities, he could believe that the person wronged him, but not harm that person in return. Later we will discuss what may be considered supporting evidence.

4. RECHILUT THAT IS WIDELY KNOWN

The prohibition against accepting Rechilut applies even if one hears the information from two or more sources, or even if there is a rumor circulating around the town about a specific action that the subject did against the listener. Even the speaker(s) have a constructive intent, such as to save the listener from future harm, it is prohibited to believe the information since the reputation of the subject should not be damaged by such speculation.

5. RECHILUT FROM AN EXCEPTIONALLY CREDIBLE INDIVIDUAL

The prohibition against accepting Rechilut applies even if the speaker is "m'heiman lei k'bei trei," believed like two court witnesses. This is even the case if the information cannot possibly be interpreted any other way than against the subject.

However, if the information has a constructive future purpose, the listener may believe the speaker and take action to protect himself. Nonetheless, he should not repeat the information to others, including his family, unless there is a future benefit in telling them. This applies only if the information was heard directly from the highly credible person; if it came secondhand from the person, the listener may not believe it or take any action.

6. QUALIFICATIONS FOR BELIEVING A CREDIBLE INDIVIDUAL

Someone can only be believed as a highly credible person if he is righteous in all matters of speech: the person does not lie or exaggerate, and he can be relied on for the complete accuracy of all he says, just like two witnesses that are successfully interrogated by a Beit Din (court of Jewish Law). If, however, the individual can only be trusted in not speaking Lashon Hara or Rechilut about someone, he should not be believed as what he says could include falsehood.

Considering a credible person's statements as true is only relevant for believing the information; it is forbidden to harm or disparage the subject of the information in any case.

7. BELIEVING A CREDIBLE INDIVIDUAL NO LONGER APPLIES

The permissibility of believing a highly credible individual only applied during Talmudic times (before 500 C.E.). The modern (past 1000 years) halachic authorities state that there is no such thing as a highly believable individual anymore.

Therefore, it is forbidden to accept Rechilut stated by anyone. The listener can only investigate its validity and take precautions as the information is relevant for the future.

Unfortunately, people make great mistakes in this area. While they may be careful not to speak or believe L"shon Hara and Rechilut, they will believe what others tell them "for their own good." They think that since their parents or spouse (or other trusted individual) is telling them this information, it must be accurate and without falsehood. There is no basis for such a belief. (Believing close family members was discussed in Hilchot L"shon Hara 8:14, and we will discuss it again in Hilchot Rechilut 7:5.)

8. INNOCENTLY SPOKEN RECHILUT

The prohibition against accepting Rechilut also applies when it is heard from someone who is "mesiach l'fi tumo" - speaking in innocence. In other words, the speaker did not intend to upset the listener; it was as if something relevant suddenly came out of his mouth.

9. RECHILUT SUPPORTED BY EVIDENCE

The issues regarding the permissibility of accepting Rechilut when there is corroborating evidence to support the information is discussed in detail in Hilchot L"H 7:10-14. To make it easier on the reader I will summarize the points here. Five conditions are required:

- (A) The evidence must prove that the only interpretation possible is negative. Even if evidence proves that a story is true, it provides no value unless it supports the negative conclusion of the story.
- (B) The evidence must be explicitly relevant to the story, not just similar.
- (C) The listener must have seen the evidence himself, not just heard about it from others.
- (D) The information and evidence must have constructive implications for the future.
- (E) The evidence and information can be believed only; the listener may not speak negatively about the subject, and certainly may not harm the subject.

All of these requirements are discussed in detail in Hilchot L"H.

10. TAKING ACTION ON THE BASIS OF RECHILUT AND SUPPORTING EVIDENCE

Unfortunately many people make the mistake of taking action against another when they have no halachic basis to do so, resulting in further Torah violations. For example, if someone's business is disrupted or otherwise harmed, and he has evidence that someone else caused to this harm (through the other's speech or action), the individual erroneously justifies damaging the other in return. He thinks that because someone else wronged him he is permitted to take action against the other in return.

This is incorrect for several reasons:

- (A) If the victim is speaking L"H against the other for revenge, he is violating the Torah prohibition against taking revenge. (See also Shulchan Aruch, Choshen Mishpat 388:9.)
- (B) The victim may speak about the other if it is the only possible method to rectify the situation. In other words, if by telling others what this person is saying about him, the other will cease disparaging him. If there are other ways to stop the other person, or if speaking about the other will not help, it would be prohibited.
- (C) The victim may only speak about the other (to protect himself) if he witnessed the other's actions against him. If he only has substantiating evidence that the person wronged him, he may not act

against the other. And if the substantiating evidence is not conclusive, he is not even permitted to believe the Rechilut (or his own suspicions) that the other person wronged him.

So in nearly all cases it is forbidden to act on Rechilut or supporting evidence that implicates someone in causing harm to another, even if the person who wants to take action has purely constructive intentions.

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