

Rabbi Telushkin defines Loshin hara (literally “evil language/tongue”) as “true statements that harm, embarrass, cause financial damage to, or lower the status of the person being discussed.” Loshin HaRa is distinct from Motzi Shem Ra (slander) which consists of false negative statements, and also distinct from Rechilus (talebearing). All three are taken very seriously in Jewish law and considered among the most serious and destructive types of wrongdoing in the community.

The Chofetz Chaim, the great legalist and tzaddik of the early 20th century, specialized in the laws of speech and much of what we say today stems from his work, though these concepts date back to the Talmud and the sensibilities of the Tanakh (“the power of life and death is in the tongue”; “keep your lips from evil and your mouth from telling lies” says the Book of Proverbs, among many other things).

The laws of Loshin HaRa state that it is forbidden to say negative but true things about others unless under certain specific circumstances. The reason is simple: when we do so we lower other people’s opinions of that person. This is considered both a harm in and of itself and one that may lead to other types of harm; for instance others may be less likely to be friendly to that person, to hire them for work or have other business or personal relationships with them. Truthfully it’s hard to predict the effects of loshin hara; it can destroy budding (or long-time) friendships, and cause communities to harden toward someone who finds themselves less than welcome for unknown reasons, and finally excluded.

The fact that Loshin HaRa is “true” is unimportant to the sages. All of us have things about ourselves that are true and which we would not want known; further there are things about us which do not reflect our general character or values which, if known publicly, could cause people to turn against us undeservedly.

So when is it ok to speak Loshin HaRa?

To avert a clear and present danger.

Some examples: warning someone of a restaurant they plan to go to which has health violations; or about a doctor guilty of sexual misconduct or malpractice; or of a blind date you know has a history of dangerous behaviour.

It is not, however, permitted to repeat rumours and hearsay in the absence of a clear and a present danger. Some relatively uncontroversial examples: telling a friend you heard about how a mutual acquaintance has certain bad behaviors; speaking negatively about the food that was prepared at someone's house or at a certain restaurant; telling a story about someone fumbled a public performance; warning people that you heard someone has certain opinions or has made unsavoury political statements.

Two more controversial examples: "You know Dr. X? I just heard he was sleeping with patients" or "That new steak restaurant? I heard they have rats."

Unless you have reason to believe the person plans to see that doctor or eat at that restaurant, this is not permissible.

When speaking to a therapist or reporting something to relevant authorities.

Either case is completely fine, and likely constitutes a mitzvah in both cases.

When the information is already public.

If you know the information has been spoken in front of three people or more, either in person or through the media, it is considered public and may be discussed.

Listening to and believing Loshin HaRa

It is forbidden to listen to Loshin HaRa, and if someone begins to tell you loshin hara our sages advise disrupting the teller in some way: I don't want to hear about it, it's none of my business, I think that's loshin hara, or just change the subject.

It is also forbidden to believe Loshin HaRa, because it is forbidden to believe the words of a wicked person, and at the moment someone speaks Loshin HaRa they qualify as wicked. One should therefore tell oneself, “It is untrustworthy, I will bracket that claim” or think of ways that it may not be true.

Avak Loshin HaRa

This is “the dust of loshin hara” and refers to when silence or non-verbal cues accomplish the work of Loshin HaRa. Examples: everyone is praising someone, and you remain pointedly silent. Someone’s name is brought up as a great cook and you roll your eyes.

The Rabbis said, “Some escape the sin of loshin hara, but who escapes the sin of avak loshin hara?” Nevertheless, one should try.

Lastly, when with someone who engages frequently Loshin HaRa one should avoid bringing up mutual acquaintances for discussion, even to say something positive, out of the likelihood that they will respond with a negative assessment or anecdote.

Further Reading

Words That Hurt, Words That Heal

Joseph Telushkin