

“Miriam and Aharon spoke about Moshe regarding the Cushite woman he had married...Now the man Moshe was exceedingly humble...‘Why did you not fear to speak about My servant, about Moshe?’” (12:1,3,8)

In Hilchos Deios the Rambam defines a “holech rochil” talebearer, a baal lashon hara, slanderer, as one who maliciously spreads disparaging information about an individual. This applies even if the tale he bears is true. He adds that one who speaks lashon hara as a joke, to poke fun innocuously without malice, is still viewed as “touching” on lashon hara. It is considered avak lashon hara, “dust” of lashon hara. It seems clear from the Rambam, however, that unless one speaks lashon hara maliciously, out of hatred for his victim, he does not transgress the Biblical injunction against lashon hara. This is supported by the fact that the Chafetz Chaim considers avak lashon hara as being an *issur m’dRabbanan*, a Rabbinic prohibition.

Let us focus on Miriam’s “speaking” against Moshe. In Hilchos Tumaas Tzaraas the Rambam perceives the incident of Miriam’s lashon hara against Moshe as paradigmatic of the lashon hara whose offender is punished with tzaraas, a spiritually induced form of leprosy. Indeed, he cites Miriam’s speaking about Moshe as serving as a lesson for us all regarding the effect of slanderous speech. If we were to analyze what occurred with Miriam, her behavior would not coincide with the severity of the punishment. Miriam spoke about her younger brother, whom she revered and admired. She risked her life to save him from certain death when he was placed in the river. She did not intend to hurt him in any way. Actually, her error was only in comparing him to other prophets and not realizing that he was in a class all by himself. Moshe himself certainly did not harbor any complaints whatsoever against his sister. Yet, she still suffered with tzaraas. How much more so should we be concerned when we speak lashon hara, when we maliciously slander innocent people.

In other words, Miriam’s lashon hara should serve as a strong deterrent, a penetrating lesson for those who would dare to speak inappropriately of others. Now that we have established that Miriam’s lashon hara was innocuous and without malice, why was she so harshly punished? Why is her slander regarded as a standard for evil speech?

Horav Shmuel Truvitz, z.l., finds the root of the sin in Hashem’s reprimand to Aharon and Miriam: “Why did you not fear to speak about My servant, about Moshe?” These glaring words bespeak the depth of their sin. They did not fear speaking about Moshe! Did they not realize who Moshe was, what he represented; his exalted position, unparalleled virtue and piety; and unusual relationship with Hashem? How did they dare to speak about Moshe as if he were just another human being? They did not properly appreciate his preeminence. They placed him on the same pedestal as other neviim, prophets. This in itself is a grave error, indicating their inaccurate perception of Moshe’s greatness.

This is the essence of lashon hara: We neither fully realize, nor appreciate, an individual's true value. Aharon and Miriam underestimated Moshe; we, likewise, frequently do not judge people in their full context. We do not ascribe to them their proper prestige and recognition. A failure to hold an individual in proper esteem is the seed from which lashon hara germinates.

This idea applies to all forms of lashon hara. The specific prohibition concerns actual speech, articulating slander against someone. The origin of the transgression, however, lies in one's blatant disregard, his lack of recognizing his fellowman's value. The meraglim, spies, who returned from their mission with disparaging comments about Eretz Yisrael, catalyzed Klal Yisrael's mournful response and consequent rebellion against their leadership, to the extent that they impugned Hashem's "ability" to bring the nation into the Promised Land. The punishment for this lashon hara and its tragic results was forty years of wandering in the desert, parallel to the forty days of the spy mission. What connects the lashon hara that they spoke and their forty days of surveillance? Horav Chaim Shmuelevitz, z.l., explains that it was the forty days of looking with "closed eyes", their myopic vision in not correctly perceiving Hashem's precious gift to them, that instigated their slanderous speech. The sin was slander – the cause was a lack of true perception, a flawed outlook, an unappreciation of the sacredness and uniqueness of Eretz Yisrael. While it was the spies that slandered, the people's response, their unwarranted weeping and complaining, indicated their affinity with the spies and agreement with their slander.

It is sad to say that people have not changed very much. We still speak lashon hara, and the origin of our disparaging comments has not changed – we disregard people. This is especially true in regard to the respect and admiration we should have for the Torah scholar, the educator, the one who devotes his life to Torah endeavor. Whether it is a lack of perception on our part, a failure to appreciate the positive and vital role they play in sustaining the spiritual fibre of the Jewish community, or just plain envy, some people go out of their way to seek out the negative, to exploit a shortcoming, to accentuate any failing that might exist. Perhaps if we work on the origins, the results might be different.