



The Shame of It All: The Real *Shonda* in Revealing Abuse

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Victims of abuse are often told by others to keep their secrets. They are warned that making their abuse public would be a *shonda* (a shame and embarrassment) for the Jewish community, for their families, and for themselves. Even worse, they are told that going public is a *hillul Hashem*, a desecration of God's Name. And this warning is used as a tool to silence those who need to speak.

It is unfathomable that concerns for God's reputation would condemn a victim of abuse to a life of suffering. What really is *hillul Hashem*, the desecration of God's Name?

Hillul Hashem and its corollary, *Kiddush Hashem* (the sanctification of God's Name), are predicated on the idea that our behavior has consequences. How we act makes a difference. And it matters not only to the people around us and not only to our own reputations, but it matters to God and His reputation as well. Our duty as Jews, as a "kingdom of priests and a holy nation," is to bring the world closer to a recognition and appreciation of God. We are God's representatives to the world, and all that we do impacts upon how others view Him. We are responsible, through our actions, to make God beloved by others,¹ and to glorify His honor in their eyes. Thus, the Torah is concerned about *Kiddush Hashem* (the sanctification of God's Name) and *Hillul Hashem* (the desecrating of His Name): "And you shall not desecrate My holy Name but I shall be sanctified amongst the Children of Israel" (Lev. 22:32). Although nothing that we do can violate God's ultimate sanctity, everything we do can affect His Name (read: reputation).

While this discussion will focus on human activity that affects the sanctity of God's Name, it is worth noting that God Himself is also responsible for His own reputation, and He too is capable of committing both *kiddush* and *hillul Hashem*.²

¹ *Yoma* 86a; See *Encyclopedia Talmudit*, XV, col. 340-360 for an extensive treatment of this subject.

² See Norman Lamm, "Kiddush haShem and Hillul ha-Shem", *Encyclopedia Judaica*, X, col. 977-983. See also A. Holz, "Kiddush Hashem and Hillul Hashem," *Judaism* 10:4 [1961], 360-367; Efraim Urbach, *Hazal: Pirkei Emunt ve-De'ot*, pp. 313-316.

Moses convinced God to forgive the Jewish people for the sin of the golden calf by raising the threat that such divine punishment will have on His reputation: “What will the Egyptians say?” And Ezekiel said that it is God who personally desecrated His own Name when He exiled the Jewish people from its land.³

Although the concepts of *kiddush Hashem* and *hillul Hashem* are most often discussed in relation to the obligation, in extraordinary circumstances, to sacrifice one's life for the sake of God and His Torah,⁴ we will focus on the significance of *kiddush Hashem* and *hillul Hashem* in less ultimate, yet equally consequential, situations, one's daily conduct, and then turn our attention to its significance in exposing abuse and abusers.

The term *hillul* comes from the Hebrew root, *HLL*, meaning vacuum or empty space.⁵ Forms of the three-letter root *HLL* refer to a corpse, the desecration of sacred property and the violation of honor.⁶ By engaging in *hillul Hashem*, we diminish God's honor and void the world of His influence.

Hillul Hashem is such a grievous transgression that it is more difficult to atone for it than for any other sin. Not even repentance, the atonement of Yom Kippur, and personal suffering can absolve one of this offense.⁷ In the past, collective punishment of families and communities was prescribed in order to prevent *hillul Hashem*.⁸ And we are taught that should allow oneself to be killed, rather than desecrate the Name of God.⁹ The only redress for a *hillul Hashem* may be the

³ Rabbi Dovid Cohen, in a letter to *Journal of Halachah and Contemporary Society*, XIX, Spring 1990, writes that territorial compromise in Israel is forbidden because Jewish exile from the Land is *hillul ha-Shem*, as the nations of the world will say that God cannot defend His people. Furthermore, he maintains, that concerns of *pikuach nefesh* (saving lives) do not supersede *hillul ha-Shem*.

⁴ *Hil. Yesodei ha-Torah*, ch. 5.

⁵ *Nefesh haHayyim, sha'ar 3*, ch. 8.

⁶ “Do not prostitute your daughter,” Lev. 19:29.

⁷ *Yoma 86a; Hil. Teshuvah 1:4*.

⁸ *Resp. Da'at Kohen*, no. 193. Rav Kook supported a rabbi's refusal to lecture in a particular synagogue because they had honored a certain person who was a public desecrator of Yom Kippur with *maftir Yonah* on Yom Kippur.

⁹ *Yerei'im*, no. 6. In a letter to *Journal of Halachah and Contemporary Society*, XX, Fall 1990, p. 136, Rabbi Dovid Cohen writes, that a prominent communal leader was asked for support in an upcoming Senatorial bid by a Jewish public figure, in exchange for his intervention with the Soviet authorities to gain the release of a Soviet Jew whose life was endangered. “The Jewish leader then turned to Rav Yaakov Kaminecki, z”l, whose response was that support from an Orthodox Jewish leader for a Jewish public figure who flagrantly rejected Torah standards (he was married to a gentile woman) was equivalent to a *hillul Hashem*. Even the *pikuach nefesh* situation of the Soviet Jew would not abrogate nor mitigate the situation of

performance of *kiddush Hashem*, an act that will heal the damage done to God and His reputation.¹⁰

Of such great concern is the avoidance of *hillul Hashem* that the Talmud offers radical suggestions for its avoidance, suggestions that have not been accepted as normative Jewish law.¹¹ Their significance is in their articulation of the profound concern our tradition has regarding the potential *hillul Hashem*. The Talmudic sage R. Abahu said in the name of R. Hanina, "It is better for a person to violate a sin in private than to desecrate God's Name in public."¹² Other Talmudic statements prescribe extreme measures for individuals to follow in order to avoid the public desecration of God's Name, including stealthily disguising oneself and sinning surreptitiously, and even worshipping idols.¹³

What constitutes *hillul Hashem*?

There are five general categories:

hillul Hashem... Incidentally, when Rav Eliezer Schach, *shlita*, was notified of this ruling, he concurred."

¹⁰ Rabbeinu Yonah, *Sha'arei Teshuvah, Hillul Hashem*:

Regarding this illness [of *hillul Hashem*]: Though it is not curable in the same fashion as other sins, one can find a cure if God helps [the sinner] to sanctify His Torah before humankind and [if God] gives him the opportunity to publicize His glory and His kingship. Through this, one's sin will be removed [because] this great deed [of sanctifying God's Name] is the exact opposite of [desecrating God's Name], the deed in which he was corrupt and in which he sinned... As Solomon said, "Through lovingkindness and truth iniquity shall be atoned" (Proverbs 16:5).

¹¹ See, however, Responsa *Yabi'a Omer*, VIII, *Even ha-Ezer*, no 12, presented above as source P.

¹² *Kiddushin* 40a.

¹³ *Kiddushin* 40a; *Moed Katan* 17a; *Haggigah* 16a,

R. Ila'i *ha-zaken* said, If a man sees that his [evil] desire is conquering him, let him go to a place where he is unknown, don black and cover himself with black, and do as his heart desires, but let him not publicly profane God's name.

Yevamot 79a,

R. Hiyya b. Abba replied in the name of R. Johanan: It is better that a letter be rooted out of the Torah than that the Divine name shall be publicly profaned.

Sanhedrin 107a,

[King David] replied, 'And shall a king like myself be slain by his son! Let me worship idols rather than that the Divine Name be publicly profaned!

1. *Kiddush Hashem*¹⁴ and *hillul Hashem* find expression in the requirement of martyrdom when one is threatened with death unless he transgresses one of the laws of the Torah. Self-sacrifice for the sake of God sanctifies His Name; failure to martyr oneself desecrates it. While this obligation maintains primarily when one is forced to violate the three cardinal sins of murder, idolatry and consensual, forbidden sexual relations, it calls upon one to sacrifice his life when faced with the forced violation of any *mitzvah* or Jewish expression during times of organized anti-Torah persecution.¹⁵

2. Committing a sin as an act of rebellion (*le-hakh'is*) is a *hillul Hashem*, even if committed in private, as it is a defiant rejection of God's authority.¹⁶ If such a transgression is committed publicly—in the presence of ten fellow Jews¹⁷—it is deemed as the more serious violation of *hillul Hashem ba-rabbim* (public desecration of God's Name).¹⁸ Whereas private transgression affects only an individual sinner's relationship with God and the sway of Torah in his life, public transgression has the added dimension of diminishing God's reputation in the eyes of others. The negative consequences increase geometrically.

3. Committing a sin *le-tei'avon*, when one is overwhelmed by seemingly uncontrollable appetites, is not in itself an act of rebellion, and does not automatically constitute a desecration of God's Name. However, if such a sin is committed publicly, it does rise to the level of *hillul Hashem*. As far as an indiscriminating observer is aware, a sin was committed; the circumstances and mitigating factors are

¹⁴ We will also not discuss *kiddush ha-Shem* as is expressed in liturgical recitations of the *devarim she-be-kedushah* of *kaddish*, *kedushah* and *barkhu*. See R. Norman Lamm, *Halakhot va-Halikhhot, Mosad ha-Rav Kook*, 1990), pp. 45-52.

¹⁵ *Sanhedrin* 74a; *Hil. Yesodei haTorah*, ch. 5.

¹⁶ *Sefer haMizvot*, prohibitions no. 63. The obligation to sanctify God's Name is recorded in Positive Commandments, no. 9. *Hil. Yesodei haTorah* 5:10.

¹⁷ *Hil. Yesodei ha-Torah* 5:4 and 10.

¹⁸ The converse is also true: public sanctification of God's Name is more significant than its private sanctification. *Sotah* 10b:

That is what R. Hanin b. Bizna said in the name of R. Simeon the Pious: Joseph who sanctified the heavenly Name in private merited that one letter should be added to him from the Name of the Holy One, blessed be He, as it is written: He appointed it in Joseph for a testimony. Judah, however, who sanctified the heavenly Name in public merited that the whole of his name should be called after the Name of the Holy One, blessed be He. When he confessed and said: She is more righteous than I, a Heavenly Voice issued forth and proclaimed, 'Thou didst rescue Tamar and her two sons from the fire. By thy life, I will rescue through thy merit three of thy descendants from the fire'. Who are they? Hananiah, Mishael and Azariah.

unknown to him and are irrelevant.¹⁹ Likewise, publicly confessing a sin that is otherwise unknown to others is prohibited.²⁰

4. There are certain sins that, by their very natures, constitute *hillul Hashem*:²¹ declaring false oaths or swearing in vain,²² offering one's children to idol Molekh,²³ idolatry,²⁴ illicit sexual relations,²⁵ desecration of holy objects,²⁶ mentioning God's Name in vain,²⁷ improperly adjudicating in non-Jewish courts,²⁸ perverting justice,²⁹ cheating in business³⁰ and lying.³¹

5. Other activities which, although technically not sinful, do constitute *kiddush Hashem* or *hillul Hashem*.³² Like those behaviors already detailed above,

¹⁹ *Sanhedrin* 82a; Rashi, *Yoma* 86a, s.v., *hillul ha-Shem*.

²⁰ *Yoma* 86b.

²¹ See Ramban to Lev. 18:21.

²² Lev. 19:12. See *Torat Kohanim, Kedoshim, parshata 2; Vayikra Rabbah*, ch. 22; Rashi to *Ta'anit* 23a, s.v. *nimtza shem shamayim mit'halel*.

²³ Lev. 18:21.

²⁴ Rabbeinu Yonah to *Avot* 4:4.

²⁵ Amos 2:7; Lev. 19:2, 21:8; Malakhi 2:11;

²⁶ Lev. 22:2, 21:6; Malakhi 1:11-12; Num. 15:31.

²⁷ *Sha'arei Teshuvah* of Rabbeinu Yonah, III, no. 61.

²⁸ *Gittin* 88b; *Tanhuma, Mishpatim*, 3.

²⁹ *Torat Kohanim, Kedoshim*, ch. 4.

³⁰ *Torat Kohanim, Kedoshim*, ch. 8.

³¹ *Sefer haYirah* of Rabbeinu Yonah, no. 177.

³² Are these circumstances of *hillul ha-Shem* of biblical or rabbinic concern? Rashi, *Sanhedrin* 57a, s.v. *yisrael be-nokhri mutar*, maintains that those minority views that contend that stealing from a non-Jew is not biblically proscribed, do prohibit it rabbinically, invoking the element of *hillul ha-Shem*. Now, if this concern was based on the biblical injunction, how can it be asserted that the proscription is rabbinic? Therefore, we must conclude that, according to Rashi, the Torah's concern of *hillul ha-Shem* is only in the context of martyrdom; its applications outside the context of martyrdom are only rabbinic in nature. *Kesef Mishneh, Hil. Gezeilah va-Aveidah* 1:2, maintains that the way Rambam codifies the law (i.e., he writes that it is prohibited, but does not say that the transgressor violates a negative commandment), indicates that Rambam is of the opinion that *hillul ha-Shem* is a rabbinic concern. *Shakh, Hoshen Mishpat* 359, no. 2, disagrees, maintaining that Rambam holds that the prohibition is biblical in nature. He cites the language of Rambam, *Hil. Geneivah* 1:1, quoted in *Hoshen Mishpat* 348:2, as support for his opinion. Maharshah, *Baba Kama*, ch. 10, no. 20 agrees, as does SMaG and *Hiddushei R. Akiva Eiger* in his commentary to *Shulhan Arukh*. However, Maharshah agrees with Rashi that the prohibition is only rabbinic.

Rema, *Even haEzer* 28:1, rules that the betrothal of a woman with a ring that was stolen from a non-Jew is a valid betrothal because "he is not obligated to return

these, too, impact either positively or negatively on the reputation of God and the esteem in which He and His Torah are held by others, Jew and non-Jew alike.³³ These are activities that are judged by others as either notably decent and respectable, or as unseemly and inappropriate. They reflect either favorably or poorly on Judaism and Torah as, through them, others assess Judaism's role in shaping the conduct and character of the purported representatives of God and Torah. The purpose of restricting those behaviors deemed to be *hillul Hashem* is not to promote ethical standards *qua* ethical standards—although that may be a side benefit. The aim is to preserve the respect of the world for Judaism.³⁴ Maharal writes that this obligation can be deduced from the verse “And you shall love the Lord, your God (Deut. 6:5).”

[the stolen property] except by reason of *kiddush ha-Shem*.” Now, if the ring is considered by the Torah to be stolen property, the betrothal should not be valid. Rema's ruling is consistent with the position that concerns of *kiddush ha-Shem* and *hillul ha-Shem* are rabbinic (See *Bet Shmuel*, no. 5). However, *Helkat Mehokek*, no. 3, disputes this ruling, maintaining that the betrothal is invalid. He maintains that Rema's statement 1) contradicts the presumption that stealing from a non-Jew is biblically proscribed and 2) the ruling is inconsistent with the purported source, i.e., Responsa *Mahari Weil*, no. 138, which validates this betrothal in the case of a person who sold a non-Jew's *mashkon* (collateral) to another who subsequently betrothed a woman with it. Likewise, the Vilna Gaon, in his commentary, *ibid.*, no. 5, and to *Hoshen Mishpat* 348, no. 8, disagrees with Rema's ruling, and invalidates the marriage. He allows for a valid betrothal only in the case of a nullified loan, where there was no biblically prohibited act of theft.

³³ This is R. Akiva's opinion, *Baba Kamma* 113a: “We use subterfuges to circumvent [a non-Jew]. This is the view of R. Ishmael, but R. Akiva said that we should not attempt to circumvent him on account of the sanctification of the Name.” *Hoshen Mishpat* 348:1; see also Rashi to Lev. 25:48.

³⁴ *Yoma* 86a:

Abaye explained: As it was taught: And thou shalt love the Lord thy God, i.e., that the Name of Heaven be beloved because of you. if someone studies Scripture and Mishnah, and attends on the disciples of the wise, is honest in business, and speaks pleasantly to persons, what do people then say concerning him? ‘Happy the father who taught him Torah, happy the teacher who taught him Torah; woe unto people who have not studied the Torah; for this man has studied the Torah look how fine his ways are, how righteous his deeds! Of him does Scripture say: And He said unto me: Thou art My servant, Israel, in, whom I will be glorified. But if someone studies Scripture and Mishnah, attends on the disciples of the wise, but is dishonest in business, and discourteous in his relations with people, what do people say about him? ‘Woe unto him who studied the Torah, woe unto his father who taught him Torah; woe unto his teacher who taught him Torah!’ This man studied the Torah: Look, how corrupt are his deeds, how ugly his ways; of him Scripture says: In that men said of them,: These are the people of the Lord, and are gone forth out of His land.

He observes that the Torah need only have written “And you shall love the Lord”. “Your God” is extra and teaches us that one must conduct himself in such a way that “others will acknowledge that He is your God, that His Name is manifest through you, and they come to love Him because of that.”³⁵

Violation of Ethical Norms is *Hillul Hashem*

What kinds of activities constitute *hillul Hashem*? Various rabbinic sources enumerate: failure to pay bills on time; giving the appearance that one is lax in his studies or observance;³⁶ embarrassing one’s colleagues due to the nature of the rumors that are spread about oneself,³⁷ or embarrassing them by the less-than-dignified activities in which one engages;³⁸ engaging in permissible activity which others assume is prohibited;³⁹ being an unsociable, unpleasant or angry individual; degrading the honor of Torah;⁴⁰ and being unkempt.⁴¹ In each of these cases, the conduct of God’s representatives causes themselves and their God to be seen in a less than noble and honorable light.

However, *hillul Hashem* is not merely defined by objective acts; it is dependent upon the caliber of the individual involved. An *adam hashuv*, an important, well-known and well-respected person, and a *talmid hakham*, a pious, learned scholar, are expected by others to live according to strict moral standards—

³⁵ Maharal, *Netiv Ahavat ha-Shem*, ch. 2.

³⁶ *Yoma* 86a:

What constitutes profanation of the Name? Rav said: If, e.g., I take meat for the butcher and do not pay him at once. Abaye said: That we have learned [to regard as profanation] only in a place wherein one does not go out to collect payment, but in a place where one does not go out to collect, there is no harm in it [not paying at once]. Ravina said: And Mata Mehasia is a place where one goes out collecting payments due. Whenever Abaye bought meat from two partners, he paid money to each of them, afterwards bringing them together and squaring accounts with both. R. Yohanan said: In my case [it is a profanation if] I walk four cubits without [uttering words of] Torah or [wearing] *tefillin*.

³⁷ *Yoma* 86a.

³⁸ Rosh to *Moed Katan*, ch. 3, no. 11.

³⁹ *Yoma* 86a.

⁴⁰ *Pesahim* 49a,

Our Rabbis taught: Every scholar who feasts much in every place eventually destroys his home, widows his wife, orphans his young, forgets his learning, and becomes involved in many quarrels; his words are unheeded, and he desecrates the Name of Heaven and the name of his teacher and the name of his father, and he causes an evil name for himself, his children, and his childrens’ children until the end of time.

⁴¹ *Shabbat* 114a; *Megillah* 28a.

therefore, the greater the desecration when he fails to live up to these expectations.⁴² His failures reflect positively not only upon his personal reputation, but upon the Torah that he claims to uphold and upon the God he represents.⁴³ Thus, as Abraham set out to the Promised Land, he was troubled lest he cause a *hillul Hashem* as others might accuse him of abandoning his elderly father.⁴⁴

While the sources seem to restrict the imposition of higher ethical standards to an *adam hashuv*,⁴⁵ one can easily argue that, in our day, each observant Jew is considered an *adam hashuv*, to one degree or another, vis-à-vis the non-observant community, and that all Jews have such a status vis-à-vis the non-Jewish world. The great R. Israel Meir *ha-kohen* Kagan, known as the Hafetz Hayyim, once chastised his son for committing an act which, he believed, constituted a *hillul Hashem*. In response to his son's protest that these standards do not apply to him because he is not a *talmid hakham* (Torah scholar), his father responded, "As far as the standards of *hillul Hashem* are concerned, you are considered a *talmid hakham*."

Sefer Hassidim warns that a person should not add additional *chumra-ot* (stringencies) to his ritual behavior unless he will be consistent in their observance. After all, such adherence to greater strictures in ritual behavior might be seen to imply a higher level of spiritual commitment. One who thereafter violates these self-imposed stringencies commits a *hillul Hashem*.⁴⁶

⁴² See also Rambam, *Hil. Yesodei ha-Torah* 5:11. Note that Rambam records these laws here only with regard to a *talmid hakham* or *adam hashuv*.

⁴³ Rashi, *Shabbat* 33a, s.v. *hillul ha-Shem*, suggests that the *hillul ha-Shem* results when others learn from the activities of the *adam hashuv* and come to dishonor the Torah or, as he suggests in *Kiddushin* 40a, s.v. *aveirah she-osah peirot*, when others imitate his sinful behavior. Further, the *hillul ha-Shem* occurs when the ostensibly righteous person suffers punishment for his transgression and others come to question the value of his previous merits. See Rashi to *Yoma* 86a, s.v., *be-emor*; *Yoma* 86b, s.v., *mefarsemin*; and *Yoma* 87a s.v., *yomeru*.

⁴⁴ *Shemot Rabbah*, no. 39.

⁴⁵ *Hil. Yesodei ha-Torah* 5:11.

⁴⁶ *Sefer Hasidim*, no. 522. See also Resp. *Tzitz Eliezer* VIII, no. 3, who, in discussing whether one should wear a *tallit katan* outside of his clothing, analyzes Resp. *Mahari Brona*, no. 96,

He was asked about some young men who wore their *tallit katan* outside their garments, as they desired to fulfill mitzvot in a public fashion. Was this to be considered arrogance on their part? He answered that it all depends on local custom, the place and the person. For in his time only rabbis wore the *tallit katan* publicly, and that was a distinguishing mark separating them from their students, hence it is forbidden for the students to do so. Now if we understand this responsum properly, we can extrapolate from it to our question as well: where a particular behavior might reflect a measure of

Precisely defining the parameters of *hillul Hashem* is difficult and is probably best articulated by the standards that the United States Supreme Court set in a different context, “I know it when I see it.” The standards are not objective Torah standards, but, rather, popular ones, shaped by conventional wisdoms and popular opinions. The parameters are subjective and the criteria shift. They depend upon the opinions and values of any particular community at any particular time. Conduct that may appear to the actor to be appropriate, may in fact be a *hillul Hashem* if it is so deemed by the larger population. Rambam writes that a person should refrain from those activities which are unseemly in the eyes of others, even if in his own eyes they are not unseemly.⁴⁷ As quoted above, “If one's colleagues are ashamed of his reputation, that constitutes a profanation of the Name.”⁴⁸

Concern for the opinions of non-Jews

And we are concerned not only about Jewish opinion, but about the biases of non-Jews as well. Thus, when, after saving Lot and the captives of Sodom, Abraham returned the spoils that he recovered to its original owners,⁴⁹ he is credited with sanctifying God's Name.⁵⁰ Abraham asserted that by destroying Sodom and 'Amora God would perform a *hillul Hashem*.⁵¹ Moses, in pleading for forgiveness following both the sins of the golden calf⁵² and the acceptance of the evil report of the spies,⁵³ invoked the reaction of the non-Jewish world to the possible destruction of the Israelites.⁵⁴ And God's concern over the exile of Jews from the Land of Israel is for the desecration of His reputation in the eyes of the nations of the world.

arrogance, we invoke the principle that “not everyone who is fit to assume a title should do so.” This is especially true where some *hillul ha-Shem* might result when the overall behavior of the individual involved does not measure up to the strict fulfillment of the *mitzvot*. Accordingly, one might rule that it is permissible to put the *tzitzit* inside one's clothing, and perhaps for this reason it might even be proper to rule that it is actually preferable to place them on the inside. See also R. Yehoshua Baumol, *Responsa Emek Halakhah*, II, no. 28, who, in a responsum to R. Shraga Feivel Mendlowitz, rules that students who dress and comport themselves in a manner of *perishut yeteirah*, excessive piety, and are thereby disruptive, may be expelled from school.

⁴⁷ Rambam, *Iggeret ha-Shemad*.

⁴⁸ *Yoma* 86a.

⁴⁹ Genesis 14:22-24.

⁵⁰ *Tanna d'vei Eliyahu*, ch. 25. He was rewarded by God's appearance to him and His comment, “Your reward is very great.”

⁵¹ Genesis 18:25. See *Breishit Rabbah*, ch. 49.

⁵² Exodus 32:12.

⁵³ Numbers 14:15.

⁵⁴ Ramban to Numbers 14:13.

This concern about the biases of non-Jews finds expression in Jewish law as well. While there are individual authorities who do not extend the biblical prohibition of stealing to property owned by idolaters, the Talmud proves that the prohibition of stealing restricts the stealing of any property, whether owned by Jews or non-Jews.⁵⁵

Shimon ben Shetah refrained from keeping an object that was lost by a non-Jew lest he be considered a barbarian by the non-Jew. “More than I want all of the money in the world,” he declared, “I want to hear the Gentile say, ‘Blessed be the God of the Jews.’”⁵⁶

R. Moshe of Coucy, author of SMaG, put it succinctly, “All those who steal from Gentiles are guilty of *hillul Hashem* for they cause the Gentiles to say ‘the Jews do not uphold the Torah (*ein Torah leYisrael*)’ ... and they cause them to say ‘see how God chose for His portion a people of thieves and frauds.’”⁵⁷ Many authorities who ruled that, as a matter of law, one is not permitted to steal from a Gentile, prohibited it due concerns of *hillul Hashem* as well. Thus, “stealing from a Gentile is worse

⁵⁵ *Baba Kamma* 113a-b,

Whence can we learn that the robbery of a heathen is forbidden? From the significant words: “After that he is sold (i.e., an Israelite to a Canaanite as a slave) he may be redeemed again (Lev. 25:48)” which implies that he could not withdraw and leave him [without paying the redemption money]. You might then say that [the heathen master] may demand an exorbitant sum for him? No, since it says: “And he shall reckon with him that bought him (Lev. 25:50)” to emphasize that he must be very precise in making the valuation with him who had bought him... His robbery is prohibited, for R. Huna said: Whence do we learn that the robbery of a heathen is prohibited? Because it says: “And thou shalt consume all the peoples that the Lord thy God shall deliver unto thee (Deut. 7:16)”; only in the time [of war] when they were delivered in thy hand [as enemies] this is permitted, whereas this is not so in the time [of peace] when they are not delivered in thy hand [as enemies]. His lost article is permissible (i.e., one is under no obligation to return it), for R. Hama b. Guria said that Rab stated: Whence can we learn that the lost article of a heathen is permissible? Because it says: “And with all lost thing of thy brother's (Deut. 22:3)”: it is to your brother that you make restoration, but you need not make restoration to a heathen.

Hil. Gezeilah va-Aveidah 1:2; *Hoshen Mishpat* 359:1. *Yam shel Shlomo, Baba Kamma*, ch. 10, no. 20, states that the Torah is given solely to the Jewish people for their welfare. Thus, theft of non-Jewish property is not its concern and is prohibited because of the impact of such despicable behavior on the character of Jews.

⁵⁶ Talmud *Yerushalmi, Baba Metzia* 2:5. See also Tosafot, *Baba Metzia* 87b, s.v. *ela*. Rambam’s Commentary to the Mishnah, *Keilim* 12:7.

⁵⁷ SMaG, Negative Commandment no. 2, Positive Commandment no. 74.

than stealing from a Jew because of [the added factor of] the desecration of God's Name."⁵⁸

There is another element of *hillul Hashem* as it relates to non-Jewish opinion. *Sefer Hassidim* puts it simply: "If Gentiles don't do it, Jews should not do it!"⁵⁹

Real Life Applications in Rabbinic Literature

Practical applications of this concern about non-Jewish opinion can be found throughout rabbinic literature: refusing to testify in a civil court, when such is required by civil law;⁶⁰ accepting charity from a non-Jew⁶¹ because, in accepting the

⁵⁸ SMaG, prohibitions, no. 152; *Sefer Hasidim*, no. 1414. *Hagahot Maimoniyot, Hil. Gezeilah va-Aveidah* 1 [a]. R. Meir Simha of Dvinsk in his *Meshekh Hokhmah* to Ex. 21:14, writes, "It may be that a Jew who kills a Gentile, in addition to violating the sin of murder, also violates the prohibition of *hillul ha-Shem*." See also Jacob Katz, *Exclusiveness and Tolerance* (Schoken, 1969), pp. 101-102, 158-159. Maharsha, gloss to *Ketubot* 67a, s.v. *iba'it eima likhvodo hu de'avid*, prohibits accepting funds that were obtained through *hillul ha-Shem* for communal or charitable purposes. Rambam, Commentary to *Mishnah, Keilim* 12:7,

It is forbidden to hold onto an underweight or defective coin, and it is certainly forbidden to give it in a deceptive fashion to a Gentile. For when the masses of Jews think, and sometimes even the select among them do, that such deception of Gentiles is permitted, they adhere to an incorrect and improper opinion. For God in His holy Torah said, regarding one who sells himself to an idolater, "he shall give an accounting with his purchaser" (Lev. 25:50). On this the Sages in the Sifra said, "He shall give an exact account and not deceive him." And they said that if this is the case regarding a Gentile who is under Jewish dominion, certainly it is so if he is under Jewish dominion. And if it is so strict regarding a Gentile, certainly that is the case regarding a Jew. Similarly, it is not permitted to engage in exploitation, fraud or misrepresentation toward Gentiles. As they said there, "It is forbidden to deceive others, even Gentiles, certainly if the results will be a *hillul ha-Shem*. For then the transgression will be very grave. These evil actions all bring about bad qualities in a person.

⁵⁹ *Sefer Hasidim*, no. 689. This differs from the principle of "whatever is forbidden to a non-Jew is forbidden to a Jew." We are not dealing with behavior that is proscribed by the Seven Noahide Laws but, rather, by Gentile mores and opinion.

⁶⁰ *Rosh* to *Baba Kamma*, ch. 10, no. 14. Although, according to *Shulhan Arukh, Hoshen Mishpat* 28:3, the *hillul ha-Shem* occurs only in those cases that Jewish witnesses have been specifically designated by the non-Jews to testify, *Bah* maintains that *Rosh's* position applies in our own day, even when such witnesses have not been officially summoned, because of the danger to Jewish lives that may subsequently ensue because of withholding information. Thus, in my "The Physical, Emotional and Sexual Abuse of Children", The R.C.A. Roundtable, Nisan 5752, p. 9, I suggest that where "physicians, teachers and youth workers are required by law to report

handout, a Jew degrades himself before him⁶² and casts aspersions on the Jewish community, implying that it cannot take care of its own;^{63 64} and disrespectful behavior in the synagogue, including talking during the prayer services.⁶⁵

suspicious of child abuse, it would be a *hillul ha-Shem* and a violation of *dina demalkhuta dina* to withhold such information.”

⁶¹ *Baba Batra* 10b. See, however, *Iggerot Moshe, Yoreh De'ah* II, no. 117.

⁶² *Shakh to Yoreh Deah* 254:1, Resp. *Da'at Kohen*, no. 132.

⁶³ *Ri miLunil, Levush, Hokhmat Adam, Arukh haShulhan, Yoreh Deah*, 254.

⁶⁴ Others suggest that it is a violation of the verse, “Righteousness exalteth a nation, but the kindness of the peoples is sin” (Proverbs 14:34).” *Baba Batra* 10b:

Rabban Yohanan b. Zakkai said to his disciples: My sons, what is the meaning of the verse, “Righteousness exalteth a nation, but the kindness of the peoples is sin?” R. Eliezer answered and said: “‘Righteousness exalteth a nation,’ this refers to Israel of whom it is written, ‘Who is like thy people Israel one nation in the earth?’ But ‘the kindness of the peoples is sin,’ all the charity and kindness done by the heathen is counted to them as sin, because they only do it to magnify themselves, as it says, ‘That they may offer sacrifices of sweet savour unto the God of heaven, and pray for the life of the king and of his sons.’”

⁶⁵ Responsa Rambam, no 36, quoted in Responsa *Yehaveh Da'at* V, no. 12:

In our days it is appropriate to discontinue the Cantor’s repetition of the Tefillah (*Shmoneh Esrei*) because we observe that the majority of the people who have already recited the prayer silently do not pay attention to the Cantor’s prayer. One turns around to speak idle chatter with his friend, another turns his face from the east to dispel phlegm and mucous, and other such activities. And one who is not a proficient worshipper sees these activities and learns from them, assuming that there is no value to the repetition of Cantor. We find, therefore, that the purpose for which the repetition of the Cantor was established, i.e., to aid the one who is not a proficient worshipper, has been negated. If the community will not pray silently at all, but everyone will pray along with the Cantor... the proficient worshippers will pray along with the Cantor quietly, and those who are not proficient will listen and bow along with the Cantor, and everyone will be facing the Ark with proper intent. Thus, all of them will fulfill their obligation and the *hillul Hashem* that has spread among the non-Jews when they comment that Jews spit and talk to each other during their prayers—and they see this constantly—will end.

That such lack of decorum constitutes a *hillul Hashem* is confirmed in the October 14, 1663 diary entry of English diarist and naval administrator, Samuel Pepys, (1633-1703), Wheatley, “Diary of Samuel Pepy”, vol. III, p. 303 quoted in Allan Gould, “What Did They Think of the Jews” (New Jersey: Jason Aronson, Inc.,1991), pp. 66-67:

Exposing the *Hillul Hashem* of Abuse

Because of the close relationship between God and His representatives, i.e., the Jewish people, protecting both God's reputation and the reputation of the Jewish people have become intertwined. At times they are synonymous, and their demands are often confused. Although we are instructed to "expose hypocrites to prevent the desecration of the Name,"⁶⁶ many have advocated cover-ups of scandals in which Jews are involved because of concerns of *Hillul Hashem*.⁶⁷ However, this concern about protecting the reputation of God and the Jewish people by repressing public discussion of behaviors and actions that may be deemed a "*shanda*", scandalous and disreputable, may in fact itself be a *Hillul Hashem*. First, as we have seen above, unethical behavior in and of itself is a desecration of God's Name. It is the abuser and not the abused that has committed *Hillul Hashem*, and it is those who cover up and silence victims, not those who seek justice and the protection of innocent victims that desecrate God's Name.

The initial denials and suppression are bad enough. When these efforts are exposed, the scandal is even greater. And all *Hillul Hashem* will eventually be exposed, despite efforts to keep it hidden.. The Mishnah, *Avot* 4:4, states,

R. Johanan b. Berokah said: Whoever profanes the Name of Heaven in secret, they exact the penalty from him in the open. [In this respect, it is all] one [whether one has acted] in error, and [it is all] one [whether one has acted] with presumption, in [a case where the result is] the profanation of the Name.

Of course, there were cogent reasons for the development of this attitude of self protection by a vulnerable, exposed minority. Historically, invoking *hillul Hashem* was a way of protecting a Jewish minority from retribution by an anti-Semitic majority in response to the wayward activity of one of its members. Jews were vulnerable and the majority population was often hostile. Acts of *hillul Hashem* made the Jewish community even more vulnerable.⁶⁸

. . . my wife and I ... to the Jewish Synagogue: ...in the end they had a prayer for the King, which they pronounced his name in Portugall; but the prayer, like the rest, in Hebrew. But, Lord! to see the disorder, laughing, sporting, and no attention, but confusion in all their service, more like brutes than people knowing the true God, would make a man forswear ever seeing them more: and indeed I never did see so much, or could have imagined there had been any religion in the whole world, so absurdly performed as this. Away thence with my mind strongly disturbed with them, by coach and set my wife in Westminster Hall..."

⁶⁶ *Yoma* 86b.

⁶⁷ See Responsa *Binyamin Ze'ev*, no. 282 and Responsa *Ba'i Hayi*, *Hoshen Mishpat*, II, no. 158.

⁶⁸ Katz, *Exclusiveness and Tolerance* (Schoken, 1969), pp. 101-102, 158-159.

Furthermore, when faced with actions that are, in and of themselves, shameful desecrations of God's Name, there is much precedent not only to allow its exposure, but to require it. Prohibited *sha'atnez* is forcibly and publicly removed from a person in the street⁶⁹ following the precedent of the biblical Judah, who, despite the shame he brought to himself, publicly admitted his sin with Tamar, thereby sanctifying God's Name.⁷⁰

And if *hillul Hashem* is creates a godless vacuum in the world and in people's lives, then the assault that abuse victims suffer not only on their bodies, but on their psyches and their souls, is itself a tremendous *hillul Hashem*. Many victims of abuse are exploited first by their Jewish perpetrators and then are betrayed by the reaction of the family and community they thought would help them, nurture them and find them justice. In many cases, these victims lose faith in themselves, in the community and in God. Those who do not reject their Judaism find strength in their faith, despite all that has been done to them. But in many cases victims are disillusioned by the institutions and leaders they thought they could trust. Too many of them abandon *mitzvah* observance and their connections to the Jewish community are weakened. This is the real *hillul Hashem*!

Furthermore, there are many who are afraid to speak because of the damage it may do to their reputations, the acceptance of their families in their communities, or the ability of their children or siblings to find appropriate marriage partners. This is the *shonda*. If the values of our community demand cover-up and silence because of "what the neighbors might say" then those values which prevent victims from seeking help and innocents from being protected from assault need to change. What *are* the priorities of our community? These victims are innocent. They did nothing. And they should not have to pay the price and carry the burden of a community that would like to see itself in ways other than it is. If anything, victims and their advocates who do speak out should be admired for their courage in facing up to and overcoming adversity. The *hillul Hashem* is when the community, proud to be made up of people who are merciful, modest and magnanimous (*rahmanim, bayshanim ve-gomlei hassadim*)⁷¹ has its values wrong.

Circumstances have changed. In democratic countries, Jews are more secure and more respected than they have ever been and their rights are protected by law. In such countries, there is, generally, respect for religious, ethnic and moral diversity. Although individual behavior can evoke critique of a moral and religious system, enlightened people recognize that the failings and faults of individuals do not necessarily represent the community from which those individuals come. Their judgment is tempered by their understanding of the values that a community espouses and, more important, how that community reacts to infractions of its mores. In our

⁶⁹ *Berakhot* 19a.

⁷⁰ *Sotah* 10b.

⁷¹ *Yevamot* 79a.

day, the greater *shonda* occurs not when abuse is revealed, but when it is systematically covered up by Jewish leaders and communities.

Conclusion

What enormous power we humans have. What tremendous consequences there are to our actions. What we do matters! Our actions have significant consequences, perhaps beyond our wildest imagination. Improper, indecent, immoral behavior can destroy not only our reputations, but God's as well. Improper and immoral actions can further victimize those who are victims of violence and abuse, further inflicting their psychological and spiritual well-being.

We can, through speech and deed, through action and inaction, make this world godless. And yet, we have the ability to make it a godly place as well. We can bring people closer to a love of God and closer to feeling God's love for them. We can help them appreciate the value of Torah and of *mitzvot*. We can bring the world closer to the time when all people recognize the One God and human society is a complete expression of His will. God's sanctity and desecration are in our hands. By committing ourselves to decent and moral living it may be said of us, "Happy the parent who taught you Torah, happy the teacher who taught you Torah; woe unto people who have not studied the Torah; for this person has studied the Torah, look how fine his ways are, how righteous his deeds! Of this person does Scripture say: 'And He said unto me: 'Thou art My servant, Israel, in, whom I will be glorified.'"