

# Free Speech vs. Ethical Speech

Numbers 13:25-14:4

And they returned from spying out the land at the end of forty days. And they went and came to Moses, and to Aaron, and to all the congregation of the children of Israel, unto the wilderness of Paran, to Kadesh; and brought back word unto them, and unto all the congregation, and showed them the fruit of the land. And they told him, and said, "We came unto the land whither thou sentest us; and surely it floweth with milk and honey; and this is the fruit of it. How be it the people that dwell in the land are strong, and the cities are fortified, [and] very great: and moreover we saw the children of Anak there. Amalek dwelleth in the land of the South: and the Hittite, and the

Jebusite, and the Amorite, dwell in the hill-country; and the Canaanite dwelleth by the sea, and along by the side of the Jordan." And Caleb stilled the people before Moses, and said, "Let us go up at once, and possess it; for we are well able to overcome it." But the men that went up with him said, "We are not able to go up against the people; for they are stronger than we." And they brought up an **evil report**

**of the land** which they had spied out unto the children of Israel, saying, "The land, through which we have gone to spy it out, is a land that eateth up the inhabitants thereof; and all the people that we saw in it are men of great stature. And there we saw the Nephilim, the sons of Anak, who come of the Nephilim: and we were in our own sight as grasshoppers, and so we were in their sight." And all the congregation lifted up their voice, and cried; and the people wept that night. And all the children of Israel murmured against Moses and against Aaron: and the whole congregation said unto them, "Would that we had died in the land of Egypt! or would that we had died in this wilderness! And wherefore doth Jehovah bring us unto this land, to fall by the sword? Our wives and our little ones will be a prey: were it not better for us to return into Egypt?" And they said one to another, "Let us make a captain, and let us return into Egypt."

Proverbs 21:23

One who guards his mouth and tongue, guards his soul from tribulations.

Proverbs 18:20

One sates his belly by the fruit of his mouth; he will be sated by the harvest of his lips.

Mishnah Sanhedrin 3:7

After legal deliberations have concluded, a judge is not allowed to say: "I acquitted him, but my colleagues found him guilty and what was I to do for they were the majority!" Thus it is written: **Don't go peddling tales among your people.** And it is said: The **peddler of tales** is one who reveals secrets. (Proverbs 11:13)

The Jerusalem Talmud, *Peah* 4a-b

These are four things that one pays for in this world and its principal awaits him in the next world: idolatry, licentiousness, murder and **malicious speech equals them all...** Rabbi Yishmael taught: The verse "Do not go **peddling tales** among your people" refers to the peddling

**Leviticus 19:16**

**Don't go peddling tales among your people. Do not stand idly by the blood of your neighbor.**

of malicious speech. Rabbi Nechemiah taught: You should not be like a peddler who goes and takes stories from one source and then gives them to another. Rabbi Chanina said: Come and learn how damaging even the residue of malicious speech is! For the Torah wrote falsely in order to make peace between

Abraham and Sarah. As the Scripture describes: After Sarah was told she would have a child she laughed and said, "I am beyond my season and my master is old." And in the following verse God says to Abraham: "Why did Sarah laugh saying: Will I truly give birth with me being so old?" [And God does not reveal what Sarah said about Abraham.]

Babylonian Talmud, Ketubot 113b

Three types of people God hates:

One who speaks one thing with his mouth and another in his heart.  
One who knows testimony for his friend but does not testify for him.  
One who testifies alone that he saw his friend engage in illicit sexual relationships.

Tuviah sinned and Zigud came alone and testified before Rav Papa [whereupon] Rav Papa had Zigud punished. Zigud exclaimed, "Tuviah sinned and Zigud is punished!?" Rav Papa answered back, "Yes because it is written, *One witness should not rise up against a man (Deuteronomy 19:15)*. Since you testified against him alone, you have only succeeded in bringing him into ill repute."

Rabbi Simcha Bunim of Parshischa

One who defiles his speech defiles his mouth, the vessel that distinguishes him from all creatures and ... in so doing defiles the Torah in its entirety.

**The First Amendment Congress shall make no law ... abridging the freedom of speech, or of the press;**



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