



## Is Writing a Negative Review Lashon Hara?

### The Importance of Giving the Benefit of Doubt

I never wrote a negative review online in my entire life until a few weeks ago. Midreshet B'erot Bat Ayin had received a service abroad. The payment was due a week beforehand, and unfortunately, we were over charged (billed for service neither ordered nor received). In addition, we were advised to order something we didn't need, and which was not prepared and ready to be used for our purposes. Even the service we ordered was not provided for adequately, and there were many additional problems. (I'm telling you the story in very general terms in order to prevent you from figuring out what and especially whom I'm talking about, so that this article will not be considered lashon hara). By not including the details, I'm sacrificing making my story more interesting, but this is a small loss in order to avoid one of the most serious transgressions in the Torah – evil speech and slander. The Chafetz Chaim enumerates 31 Torah prohibitions and injunctions related to the sin of lashon hara. One of them is connected to this week's parasha describing how Hashem inflicted Miriam with the spiritual disease of tzara'at as a consequence of her negative speech:

**ספר דברים פרק כד פסוק ט זכור את אשר עשה השם אליהו למרים בדרך בצאתכם ממצרים:**  
 “Remember what Hashem your G-d did to Miriam on the way, when you went out of Egypt”  
 (*Devarim 24:9*).

Miriam's main mistake was that she didn't give Moshe the proper benefit of the doubt when she compared herself and Aharon to him. Although they were prophets too, their prophecy was not on par with Moshe's. Regarding my recent experience, by giving the provider the benefit of the doubt, we could say that he truly thought that we needed the service even though we didn't, and due to time pressure, he was unable to prepare it for our purposes. Similarly, the overcharge could very easily have been a mistake. The rest of the problems are likely due to his being unfamiliar with our holistic approach, which made it difficult to provide adequately for our needs.

### The Parameters of the Mitzvah of Judging a Person Favorably

The mitzvah of giving the benefit of the doubt is one of the hardest mitzvot to keep. How far do we have to go in judging a person favorably? Sometimes, an action seems so outright against the Torah that it is hard to justify the perpetrator in any way. The answer is that it depends on the person being judged. The Chafetz Chaim enumerates 4 categories:

1. The righteous must be judged favorably even if the matter seems very likely negative.
2. Average individuals, who are careful not to sin but sometimes slip, must be judged favorably if there is an equal chance of good or bad. Even if it is more likely that the negative interpretation is correct, it is still proper to leave the doubt unresolved in our mind without judging negatively.
3. Wicked individuals are not to be given the benefit of the doubt. Even when their actions appear positive, they should be viewed as negative.
4. Unknown individuals have an intermediate status. While there is no obligation to judge them favorably, it is a good quality to give them the benefit of the doubt (*Sefer Chafetz Chaim, Hilchot Isurei Lashon Hara 3:7-8*).

Based on this, if a person, whom we do not know, overtly transgresses a mitzvah, especially from the Torah, we have no halachic obligation to judge him with the benefit of the doubt, especially if this could cause a monetary loss. Regarding monetary matters, even a Torah Scholar is not to be

given the benefit of the doubt, as it states, “In the academy of Rabbi Yishmael, they taught: “If you see a Talmid Chacham commit a transgression by night, harbor no ill thoughts of him by day... He has certainly repented... However, this applies only to personal matters; regarding monetary transgressions, he must first return the object to the original owner (*Babylonian Talmud, Berachot 19a*).

### Recognizing With Whom You are Dealing

“People should always be in your eyes like thieves, but honor them like Rabban Gamliel” (Rashi, *Ta’anit 23b*, quoting *Pirkei Ben Azzai 3:3*).

In the beginning of our story, I was inclined to give the benefit of the doubt. We spoke with the owner – a seemingly nice, young Jewish man. Let’s call him Shimon. He agreed to reimburse us for the part that we were advised to order since we did not require it, and it was not properly prepared. He even showed us how he was going online to make the payment. Regarding the greater part of the reimbursement claimed, Shimon said that he needed to look into the matter. I showed him the contract and the email exchange, which clearly proved that we were overcharged. Despite the proofs, Shimon delayed reimbursing us, even the amount he had first agreed to give. During the following two weeks, I made numerous unsuccessful attempts to contact Shimon, who pushed me off with his repeated, “talk to you later...” I started to get annoyed and wrote him: “We don’t need to speak. Just reimburse us the \$... that was overcharged. Based on our documentation, things are self-evident and there is nothing to discuss. Let’s save both of our time, and that of my assistant from having to follow up again. I’m sure you want to do the right thing and have satisfied clients.” When Shimon continued to ignore the overcharge, and it turned out that the reimbursement that he had agreed to pay in front of two people had not been processed, despite the fact that he had showed me on his phone that he was going online to make the payment, it dawned on me that Shimon had no intention to make any reimbursement. That’s when I wrote: “I have everything documented that we were overcharged and that we would be reimbursed. Do you want to honor the agreement to reimburse us or do you want to go to Beit Din? Still being pushed off, I went online and wrote my first negative review ever!

### Threats and Harassment

In the middle of the following night, my husband was woken up by a phone-call, which he didn’t pick up. In the morning, I saw that it was from Shimon. How interesting. This was the first time in three weeks that Shimon made any attempt to contact me. When I opened my messages, there were two almost identical threatening messages from Shimon: “If that review isn’t down in the next hour, you will not be getting your reimbursement. Your choice.” I was appalled. If he owes me money, what did my review have to do with honoring his contract and his own word in front of two? Shimon was now, all of a sudden, eager to speak with me and I replied to his message that he was welcome to call. What happened next shocked me to the bone. I received a threatening phone-call from a different man, who introduced himself as calling on behalf of Shimon. He hollered, “If that review is not down immediately, we will treat you in the exact same way and defame you and your institution everywhere possible.” I was shaken by this harassment and had a hard time sleeping at night. My friends warned me to be careful, as people like these can be dangerous. I am more concerned about negative energy than the actual threat to defame me and my midrasha, so I gave tzedakah for Shimon’s nefesh, ruach and neshama according to the way of [EmunaHealing](#).

### Appropriate Consulting of Rabbinic Authorities

The next day I received the following message from another of Shimon’s assistants, this was the person who had been taking our order in the first place: “I am reaching out to ask that the negative review that you posted be taken down. We have asked a *sheila* to a *posek* if this constitutes *loshon*

*horah* and *motzie shem rah* and was told it does and is absolutely a *chillul hashem*. That it is *poshut* this is *loshon horah* and no debate about it." I replied, "...asking *sheilot* regarding what other people should or shouldn't do has no purpose. We ask *sheilot* to ensure that our own actions are in accordance with Halacha. Why would I ask my Rabbi whether Shimon's withholding of monetary reimbursement is a Torah prohibition? Instead of asking *sheilot* concerning other people's actions why don't you ask questions that pertain to you? I advise you to ask your Rabbi whether it's permitted to make monetary reimbursement contingent on removing a negative review? And whether it's permitted to threaten with revenge if such review is not removed?"

### Only for a Beneficial Purpose

The question remains whether writing a negative review constitutes *lashon hara* and *chillul Hashem* or not. According to my Rabbi, if the intention of your review is for *תואלת/toelet* – 'for a beneficial purpose' – in order to prevent others from having the same negative experience that you had, it is permissible. It is even more so, if the provider is able to respond, which was the case in my [review on google](#). However, the information in your review must be true, without exaggeration, and with proper intent to warn the consumer (*Sefer Chafetz Chaim, Hichot Isurei Rechilut* 9:2-3). Additional reasons, why it is halachically permitted to post a negative review of a Jewish provider is that when a service provider posts his business, he expects to receive reviews – both positive and negative. He hopes that the number of positives will far outweigh the negatives, but that can never be known in advance. He also can defend himself by posting his own comment to respond to any problems. Additionally, the negative comments may be useful to the service provider so that he can know about problems and improve his service. Can we, therefore, assume that when a provider posts his business online, that he has automatically allowed any user the free right to post negative comments? Or are there parameters for negative reviews to ensure that they are not *lashon hara*?

I would like to add the following conditions for posting a negative review for a business owned by a Jew:

1. First speak directly with the provider, and only post your review when your direct communication proved to be fruitless (Based on *Sefer Chafetz Chaim, Hichot Isurei Rechilut* 9:6).
2. Make sure you evaluate the product rather than the provider i.e. "The supply did not adequately match the order." Rather than: "The provider was stingy and mean. He didn't care about satisfying his customers."
3. Ensure that you only state facts rather than subjective judgments i.e. "The food consisted of rice and store-bought cheap chumus. Fresh salad was lacking." "Instead of: "The food was disgusting and tasted terrible"
4. By all means avoid exaggeration, and state only the truth the way you experienced it (Based on *Sefer Chafetz Chaim, Hichot Isurei Rechilut* 9:2).

May Hashem bless Shimon to open his heart to do Hashem's will and honor his word and his contract, and stop transgressing the commandment, "When you make a sale to your fellow Jew or make a purchase from the hand of your fellow Jew, you shall not wrong one another" (*Vayikra* 25:14). "You shall not wrong one another" - that is mistreatment [with] money" (*Sifra, Behar* 3:4); (*Sefer HaChinuch, Mitzvah* 337). "B"H may we Jews bring the Geulah closer by working on honesty in business dealings and being careful to avoid *lashon hara*!