

CURRENT TALMUD PASSAGE

Posted January 1, 2004 by Rabbi Judy Abrams. Please refer to Maqom's home page for information about previous passages.

BH

SHAMING PEOPLE INTO DOING THE RIGHT THING

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One of the great, eternal ethical questions is whether it is permissible to shame a person into doing the right thing. Obviously, there have to be strict limits and conditions for such behavior. While rabbinic literature teaches that publicly embarrassing someone is equivalent to murder (B. Baba Metsia 58b) it also teaches that there are times when shaming people into doing the right thing is permissible.

At Usha it was ordained that a man must maintain his sons and daughters while they are young...When people came before Rav Hisda he used to tell them: Turn a mortar for him upside down in public and let one stand [on it] and say: The raven cares for its young but that man does not care for his children.... When a man came before Raba he used to tell him: Will it please you that your children should be maintained from the charity funds? (B. Ketubot 49b)

The takkanot (rulings) enacted at Usha (a town in Israel) were set down in approximately 135 C.E. This was after the Bar Kokhba revolt failed. The devastation of Jerusalem's destruction in 70 C.E. paled in comparison with the situation after the second revolt. The population shrunk to one-fifth of what it had been and the sages had to enact these rulings, one of which was that parents were compelled to support their children until they were six years old (!). Such enactments are not made unless they are needed so we can assume that people were not caring for their children even until they reached the age of six.

What is truly remarkable is that the sages, weighing the values of embarrassing a person in public versus having children abandoned by their parents, decided that public shaming in this case served the greater good. This demonstrates one of the hallmark strengths of rabbinic Judaism. There is a constant "balancing act" of values. The system allows the sages to determine a solution that will give them as much of as many important values as possible.

Discussion Questions:

1. When, in your opinion, is public shaming permissible? Is it "cruel and unusual punishment" incompatible with the American legal system?
2. If public shaming is to be allowed, how is it to be done in a way that harms all parties concerned the least?
3. Have you ever been publicly shamed, purposely or inadvertently? What was the outcome? Was it something unexpected?