

## THE RIGHT TO A GOOD NAME

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The human voice is a gift from the Author of Life, and for Him it must be used. Human life should be an approach to God, a striving after perfection.<sup>1</sup> And since man is perfect only in so far as he is virtuous, the gift of speech can be said to be put to its perfect use only when it serves him in the practice of the virtues.

An abuse of this gift is often made known in the heartfelt accusation, "I spoke unkindly." The one who listens in the place of Christ understands. But sometimes there are good people who do not. There are many who do not seem to realize that one act of speech can at one and the same time violate more than one virtue. Man should indeed love his neighbor; he should do so for the love of God; and when he does so perfectly he has fulfilled the law. But when he fails in that love, he sometimes does more than offend fraternal charity. If he fails so far as to defame his neighbor, he has injured justice; for he has violated one of his fellow man's primary rights, given to him by Almighty God to be the foundation stone supporting the temple of domestic peace—the strict right which in justice every man has to his good name.

When we speak of a good name, we mean that estimation which men in general conceive and express concerning one's excellence of character, deeds, or ability. Justice is a perfect and steady quality in the will, continuously inclining it to certain determined acts despite all obstacles, and assuring to all whatever is strictly due them. A right can no more be touched with the hand than justice can be trampled under the foot or a good name be carried in a purse. It does not require bodily strength to have rights; for rights remain even when their owners are subjected to violence. Like justice itself, a right is a thing of the mind, something closely bound up with the intellect and will: it is something moral. It is not an obligation. It is a power. It is the moral power of having something—also of doing, omitting, or demanding something, and it imposes upon others the obligations of respecting it.<sup>2</sup>

It is in this sense that we use the word right when we say that justice gives to every man a strict right to his good name.

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<sup>1</sup> Matt. V., 48.

<sup>2</sup> Lehu, O. P. Eth. Gen. VIII, n. 355.

Whoever denies this proposition must be prepared to deny man's right to own anything. For the truth that "a good name is better than great riches"<sup>3</sup> was dictated by God Himself to the Wise Man of long ago, and re-echoed in the age old wisdom of Nature's Own Interpreter, "who steals my purse steals trash . . . but he that filches from me my good name, robs me of that which not enriches him, and makes me poor indeed."<sup>4</sup> How then can man, who is acknowledged to have a right to the gold of earth, be said to have no right to the radium of a good name! "Take care of a good name, for this shall continue with thee more than a thousand treasures precious and great; a good life hath its number of days, but a good name shall continue forever."<sup>5</sup>

Every man has a direct right over those things which he acquires either by his own industry, or by legitimate inheritance from others. A good name is the natural fruit of a good life and habits of industry, or the lawful heritage received from one's parents.<sup>6</sup> Again, no one will deny that the right to work and to pursue happiness is natural to every man; and yet there are few things more necessary for fruitful labor and the pursuit of happiness, than the good estimation which a man enjoys among his fellow men.<sup>7</sup>

Rights do not stand alone. As we have already said, a right is not an obligation, but every right imposes an obligation. When the mind of man beholds his neighbor in the rays of right shed upon him by the sun of justice, those rights are reflected upon the beholder's mind, and this reflection we call duty. Duty is the obligation resulting from a right, and is the motive power preventing the will of one person from infringing on the right of another.<sup>8</sup> Thus from the proposition that every man has in justice a strict right to his good name, we have a corollary or second proposition, namely, that it is a duty binding all men to respect the individual's right to a good name.

Unfortunately, however, this duty is often ignored or violated in conversation. One person knows something about

<sup>3</sup> Prov. XXII, 1.

<sup>4</sup> Othello, III, 3.

<sup>5</sup> Eccl. XLI, 15.

<sup>6</sup> Tanqueray, Mor., III, p. 17.

<sup>7</sup> Prummer, O. P., Man. Mor. Theol. II, n. 7.

<sup>8</sup> Sum. Theol. II, II, CLXXXIV, 3, 2.

another and through a spirit of jealousy or revenge deliberately uses the gift of speech to belittle the other's reputation or ruin entirely his good name. Or again, one person knows something about another and it burns the tongue until it is told; for, as we read in the letter of the first Bishop of Jerusalem, "every nature of beasts and of birds and of serpents and of the rest is tamed, and hath been tamed by the nature of man; but the tongue no man can tame."<sup>9</sup> The blackening of a good name is called defamation, and, in accurate theological language, is of two kinds depending on the nature of the thing told. If what is said be false, the defamation is called calumny or slander; if what is said be a true but secret defect, fault, or crime, it is called detraction.<sup>10</sup>

It is defamation, whether in the form of calumny or detraction, that so many people have committed who accuse themselves of having spoken unkindly of others. They have indulged in that topic of conversation which is commonly called scandal. Speaking technically, we should define scandal as anything we do or say, bad in itself or only seemingly bad, that serves as the occasion of another's sin.<sup>11</sup> But considered as the subject of defamatory conversation, it is the association of a person's name with any misfortune, blunder, fault, defect, or crime, howsoever fancied or real, light or grave. It is the commodity of all self-constituted purveyors of the unmentionable, the fungus growth of exaggerating tongues—a monster of the depraved imagination. People dearly love a story; nothing is quite so interesting as a tale from life; and what is more fascinating than the probing of another's fall, a brother's ruin, a sister's sin! "Even virtue itself 'scapes not columnious strokes"; nor is it only in the morn and liquid dew of youth that contagious blastments are most imminent."<sup>12</sup> Since the member by which "we bless God our Father and . . . curse men" . . . has ever been . . . "an unquiet evil full of deadly poison,"<sup>13</sup> it is of the utmost importance that the nature of this sin be known and its gravity thoroughly appreciated.

The gravity of defamation is always in proportion to the

<sup>9</sup> James, III, 7.

<sup>10</sup> Prummer, O. P., cit. n. 183, 187.

<sup>11</sup> Sum. Theol. II, II, XLIII, 1.

<sup>12</sup> Hamlet, 1, 3.

<sup>13</sup> James, III, 8.

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damage done. It becomes a graver sin when the natural seriousness of the person speaking lends greater credibility to the defamation, when the reputation or dignity of the one defamed is outstanding, or when there is special damage done because of the number, influence, or loquacity of those who overhear. Unless it has been committed through inadvertence, or the harm done is of little moment, defamation, being opposed to charity and justice, of its nature divorces us from the friendship of God and is a mortal sin.

The right which God gave to every man over his good name is a strict one, and that right is violated by this infamous sin of the tongue. Unless there is a proportionately grave reason, it is always a grave injury to reveal another's fault, defect, or crime, even if it be true. Defamation violates the natural right which our neighbor has to his good name until he himself has forfeited it; it usurps the right of God who alone may judge the hidden things of the heart; and it injures the good of society by giving rise to misunderstanding, quarrels, and hatred among men.<sup>14</sup> It is likewise a great injury to impute by calumny to any one a fault, defect, or crime, even if that one be innocent; this kind of defamation has the added malice of a lie. St. Paul classes defamation among the foulest and most heinous crimes, and says that the Kingdom of Heaven shall be closed to those who commit it.<sup>15</sup> "If a serpent bite thee in silence," says the Preacher of the Old Dispensation, "he that backbiteth secretly is nothing better."<sup>16</sup> To King David the throat of detractors is "an open sepulchre . . . the poison of asps is under their lips."<sup>17</sup> "They have whetted their tongues like a sword; they have bent their bow—a bitter thing to shoot in secret the undefiled."<sup>18</sup>

Every man has in justice a strict right to his good name. It is said to be strict, because such a right is so closely inherent in a man, that when it is violated, an injury is done to the man himself and moral equilibrium is impossible without reparation. The one guilty of defamation, therefore, is under obligation to restore the good name he has injured, and to do so as soon as

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<sup>14</sup> Prummer, O. P., cit. n. 189. 190.

<sup>15</sup> I Cor. VI, 10.

<sup>16</sup> Eccl. X, 11.

<sup>17</sup> Ps. XIII, 3.

<sup>18</sup> Ps. LXIII, 4, 5.

possible. He is further bound to repair, as much as he can, all material damages which, in general, he may have foreseen would result. If the sin be one of calumny, the lie must be taken back, and this must be done in the manner and under the circumstances in which the lie was told. If the sin be one of detraction, the guilty one should speak well of his victim. He is not allowed to say that he lied when as a matter of fact he did not; but he may and he ought to excuse the fault, defect, or crime, as far as he can do so lawfully, praising the offended one before the very persons who overheard his defamatory words.<sup>19</sup> Some exceptions to this obligation of restitution are allowed. If the whole thing has been forgotten; if it has been expressly or even tacitly condoned by the party concerned, restitution is not demanded. Likewise when one cannot ascertain who it was that heard the searing speech, or when the restitution would involve an even greater damage than the original crime, reparation is cancelled. But justice demands that the defamer do all in his power to restore the stolen right, and to make good the outrage inflicted on that peace which should rule the affairs of men.

Peace is the tranquility of order, and is possible only when rights are recognized and duty done. This order of right and duty is present in every activity of human life; but in few things is its importance more apparent, than in the use of speech. Every man has a strict right to his good name; it is the duty of all men to respect that good name; and when this right has been violated by calumny or detraction, justice demands some kind of reparation, if man is to be released from enmity with the Just Judge of whose will this right is a participation. While it is possible to injure fraternal charity without violating justice, we cannot injure justice without at the same time hurting charity. And charity, after all, is the proper atmosphere of that truer and more lasting peace which Christ brought down from Heaven, and which should preside at the conference table in that miniature world of give and take called conversation, where the human voice is so little prized, and where even justice is so much offended. "In many things we all offend," was an Apostle's comment almost two thousand years ago. "If any man offend not in word, the same is a perfect man."<sup>20</sup>

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<sup>19</sup> Sum. Theol. IIa, IIae, 2. LXIIae art. 2, ad. 2.

<sup>20</sup> James, III, 2.