

"THE RELIGIOUS FOUNDATION OF BUSINESS"

One of the noblest precepts we learn from today's Torah Reading is that of midot and mishkalot, the commandment to observe meticulous honesty in our weights and measures. Lo yihyeh lekha even va-even, gedolah u-ketanah -- you shall not have diverse weights, a large one (for selling) and a small one (for buying); even shelemah va-tzedek yihyeh lekha, you shall have just and perfect weights, and just and perfect measures.

Our Rabbis rightly emphasized this mitzvah, for it is a foundation of an honorable and decent life, preventing society from being transformed into an economic jungle in which every ~~man~~ tries to devour his neighbor. Yet in reading some of the remarks of our Sages, it occurs to us that perhaps they overstated the case. Thus the Talmud (B.B. 88b) records that R. Levi said, kasheh onshan shel midot yoter me-onshan shel arayot -- the punishment for false measures is more severe than that for immorality.

Is not this an exaggeration? Do the Rabbis really mean that the small shopkeeper who occasionally puts his thumb on the scale is a worse scoundrel than the adulterer who allows his unbridled passions to destroy the peace, happiness, and integrity of an entire family?

The Congress recently exposed a most reprehensible situation in our country. National manufacturers and distributors have been reaping millions of dollars by misleading advertisements, dishonest packaging, and other assaults on the pocketbook of the innocent American consumer. It is the practice of false midot u-mishkalot on an immense scale, and there is no question but that it reflects poorly on all of our society. Yet can anyone question but that this is a far less dreadful situation than the rot and corruption of immorality

and prostitution that has been revealed in the very highest circles of British society?

And even if one should be inclined to view economic crimes as more damning than immorality and unchastity, why choose the comparatively mild misdemeanor of false weights? Why not, for instance, speak of the far more brazen and dangerous act of robbery? Is ~~the~~ not the hold-up man with gun in hand more of a criminal than that shopkeeper with finger on scale?

9 Permit me to commend to your attention the answer offered by the Netziv (R. Naftali Tzevi Yehudah Berlin), the famed head of the Yeshiva of Volozhin, whose insights on this subject are perennially relevant. The Netziv offers a simple and yet profound analysis of the nature of sin. Any sin, he writes, is caused by one of three things. The first is, lack of emunah or faith in G-d who prohibited the act. The second type is the sin committed because the sinner is seized by an overwhelming and irresistible desire to possess that which is forbidden to him. The third case of sin is where hatred and enmity agitate the sinner to the point where he breaks out in a crime of violence. Our Tradition recognized these three distinct categories when it singled out the most extreme case of each of these three classes as the worst crimes of which man is capable, the three concerning which we are told: yehareg v'al yaavor, better to submit to death than ~~to~~ transgress one of these. They are; avodah zarah (idolatry), giluy arayot (immorality), and shefikhat damim (murder). Now the first, idolatry, is the archetype of those sins committed because of lack of faith in G-d. Immorality or adultery is the worst representative of the second class, sins done because of desire and temptation. And murder is the most extreme case of crimes motivated by hatred. Of these three, idolatry is the worst. It is the most fundamental, affecting not only the emotions but the whole outlook of a man; and it is pervasive and life-long, whereas the other two are usually spent upon committing the forbidden act.

Now most economic sins known to us, and condemned by the Torah, are the kind committed upon impulse, because of an illicit desire to own and possess that which belongs to another. The thief sees a jewel or car or coat that he wants, and so responds to his concupiscent instincts and takes it, either in stealth or brazenly. These economic crimes, therefore, belong in the second category, that typified by arayot or immorality; both share the same element of being caused by a massive desire for a forbidden object. ⁹ If, however, a man builds his whole life upon dishonesty; if his cheating is not an act of sudden passion, but a cold and calculating way of life; if he budgets his ^l falsely acquired profits beforehand; ~~if~~ the very implements of his trade -- his weights and measures, his advertisements and his packages --- are fraudulent; then his crime is far worse than that of the ordinary thief who steals an object for which he lusts. Then his crime is an act of faithlessness --- he demonstrates by his false mishkalot and midot that he has no faith in G-d who is poteiah et yadekha u-masbia le'khol hie ratzon, who supplies every living thing with his wants without resorting to deviousness and dishonesty. This type of sin bespeaks a lack of emunah in G-d. It inspires, in addition, a lack of faith by men in each other and even in one's self. The man who teaches his son or disciple that "you can't be a success in business and do it honestly" is poisoning that young man's mind and ^{and infecting} ~~causing him to infect~~ outlook with faithlessness not only his business but also his social and family life. This sin is akin, therefore, to avodah zarah, idolatry, and not merely to arayot, as are other economic crimes. That is why the Talmud taught that kasheh onshan shel midot yoter me-onshan shel arayot, that the punishment for false weights and measures is more severe than that for adultery: for it is in the class of idolatry, which is even more depraved and evil than unchastity.

This weekend, as America celebrates Labor Day, we not only join our fellow Americans in paying tribute to American Labor, but also ponder the entire structure of our nation: the relations between employers and employee, between ~~business competitors~~, between producer and consumer. Here Judaism ^{the problem of} reminds us that normal business ethics is essentially more fundamental than [^] isolated crimes of passion and violence. It reminds us that there is a religious foundation of business, and that is: the pervasive faith that the Almighty is a zan u-mefarness la-kol, a feeder and supplier for all humans -- without relying upon dishonesty and unethical behavior.

The recent Civil Rights march on Washington, which is undoubtedly a high and glorious point in the history of our country, should set us thinking in the same direction. The crux of the issue is not so much "freedom now" for the Negroes, as self-respect and dignity now for the white majority which allowed such disgraceful discrimination to continue unabated for 100 years after the Emancipation Proclamation. It was bad enough when hate-frenzied mobs lynched individual Negroes. But this crime of ^S shetikhat damim (homicide) is exceeded by the greater blot on our record: the methodical economic exploitation of one segment of our population, the systematic oppression of one race as the source of cheap labor and its designation as the first to suffer in any economic recession. When the economy of a great nation is built upon such patent injustice, it is a crime of avodah zarah, it is a breach of faith. It bespeaks lack of faith in G-d Who is av ehad le-kulanu, One Father for all humans, making us all brothers. ^{It is} It is a lack of faith that democracy really can function as its advocates claim for it, and is not merely a propaganda term in power politics, ^{and} a lack of faith that America can live up to its full destiny as a beacon for all peoples, opening new horizons of hope for the oppressed of all the world.

As a nation, as a community, and as individuals, let us heed the great call of our Torah for economic justice and the acknowledgement of the religious foundation of business. Then we shall be heir to the blessing vouchsafed for us at the end of these very laws: le-maan yaarikhu yamekha al ha-adamah asher ha-Shem Elokekha noten lakh --- in order that your days and years be lengthened on the land which the Lord your G-d gives you.