

PARSHAT BEHAR
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In the midst of the detailed laws concerning the Jubilee year, the following general mandate concerning commerce is found: “When you sell property to a neighbor, or buy any from your neighbor, *al tonu ish et achiv*, you shall not wrong one another.” The prohibition emerging from this passage is identified in Rabbinic literature as the prohibition of *ona’at mamon*, financial oppression. Two sentences later the text states: “*v’lo tonu ish et amito*, do not wrong one another, but fear your G-d; for I the Lord am your G-d.” Rather than interpreting this passage as a reiteration of the warning against financial oppression, the Rabbis explained that here the Torah references the additional proscription of *ona’at devarim*, verbal oppression. Both of these concepts are integral to being an ethical person – honesty in business and using words appropriately.

The prohibition of *ona’at mamon*, financial oppression, forbids taking advantage of another individual’s vulnerability in the marketplace. The laws attached to this concept are highly detailed and specific to ensure the equitable treatment of all parties in the complex arenas of finance and commerce.

As understood by the Rabbis, this is a biblical prohibition which fundamentally forbids deceptive pricing. Both the buyer and the seller are enjoined against capitalizing on the lack of knowledge of the other concerning the market value of a specific commodity. The seller is forbidden to deceptively overcharge and the buyer is forbidden to deceptively underpay. Dependent on the extent of the deceit, different paths of recourse are offered to the victim by Jewish law. *Ona’at mamon*, as defined by the codes states that if the difference between the price paid and the actual market value of the item exceeds one-sixth, the sale can be invalidated. Rabbinic law attempted to establish appropriate standards for the marketplace as a basis for honest transactions to take place. In the society in which we live, where business seems to be a competition between the buyer and the seller, who can get the merchandise for a better price, this concept of *ona’at mamon* is an extremely important value to uphold.

Rabbi Joseph Telushkin in his work *The Book of Jewish Values: A Day By Day Guide to Ethical Living* writes of the dilemma of an insurance salesman who represented different companies, some of which may pay him a higher commission than do others. The agent wondered how he could advise a customer fairly as to which is the best policy for him to purchase when it is in his own self-interest as the seller that the buyer purchase the policy that will yield him the largest commission.

He tells us that Meir Tamari, the former Chief Economist for the Bank of Israel who was a leading scholar in Jewish business ethics, reports on how an insurance agent who wished to act in accordance with Jewish ethical teachings resolved this dilemma. Fearful that the policies he was encouraging his clients to buy “were more a reflection of his own potential earnings than the needs or benefits of the specific client,” the man programmed his computer with all the data regarding the client, and let the computer choose the best policy.

This may be expecting a little too much, but it does recognize that one's own self-interest cannot get in the way of honest business dealings. The Torah, therefore, is quite meticulous in informing us that we should not wrong our neighbor when we are involved in business transactions. Our own self-interest may sometimes get in the way if we are not careful and we may override appropriate ethical behavior in the process. Be careful, the Torah warns us, "You shall not wrong one another."

If the first statement deals with financial issues, the second one deals with interpersonal relationships. The Talmud in Bava Metzia informs us that we should not oppress another Jew, meaning that we do not speak words to a Jew that would cause him pain or cause him to suffer. The Talmud then goes on to say that the practical examples of this prohibition include: Disparaging the background of a penitent, one who makes amends for past misdeeds and does Teshuva, repentance; suggesting to someone that his suffering is due to his own evil deeds; soliciting technical advice from someone who you know lacks the necessary knowledge or expertise; inquiring about the price of a specific object without any intention to buy; and reminding a convert of his former life. These are tall orders to follow. The Rabbis were acutely aware of the power of speech and its ability to hurt another person. Therefore, in this case, they told us "Do not wrong one another, but fear your G-d; for I the Lord am your G-d."

This is a lesson that the Jewish community could well learn. Unfortunately, the level of conversation and dialogue in our community is usually held at the highest of decibel levels leading to the inability of one person to listen to the other. We are a highly opinionated community and there are many significant issues on our agenda. However, when we lose the civility of discourse, we lose the ability to talk to one another, to understand one another, and to learn from one another.

There are always issues on the communal agenda which create divisive opinions. Perhaps none is greater today than the policies of the State of Israel. I know that in some communities rabbis are frightened to speak about Israel from the pulpit because they will be castigated by their congregants for being either too left-wing or too right-wing. I know of some cases where the ability to discourse with a person with whom you disagree is simply not possible. When that happens you close yourself off to other ideas and in doing so lessen your ability to understand another's position and perhaps learn from it.

Many of you have read of last week's decision by the Conference of Presidents of Major American Jewish Organizations not to admit J Street into the organization. As President of the American Zionist Movement, I am a member of the Conference of Presidents and serve as Membership Chairman of the Conference. For the last 11 months I have personally dealt with the issue of J Street's attempt to become a member of the Conference by calling meetings of the Committee, meeting personally with Jeremy Ben Ami, the executive of J Street, and delivering the report of the Membership Committee to the General Meeting of the Conference meeting ten days ago. In fact, once the vote was taken by secret ballot, I was one of three people to count the ballots and I was the one who announced the vote to the Conference.

During the entire process, I attempted to maintain a level of respect for all points of view. The Conference is an umbrella organization and represents views concerning the State of Israel

from Americans for Peace Now, on the left, to the Zionist Organization of America, on the right. It is comprised of all the religious denominations as well as the defense organizations and women's groups. As one can imagine, it is difficult to gain consensus. What is critical is that the concept of civility and common discourse be maintained.

In 1995 the Conference wrote and passed a resolution entitled *A Statement on Public Discourse* which we distributed once more to the membership as we debated the issue of J Street's acceptance. In part, the statement makes the claim: "Public statements have consequences. Those from all sides of the spectrum who engage in verbal violence, demeaning characterizations and other excesses violate basic Jewish tenets as well as standards of decency while endangering the interests of the community." The statement goes on to say: "Community and unity have been cherished by the Jewish people for millennia. It was our ability to come together despite our differences that made possible our contribution to the great achievements of recent years." The statement conveys the fact that though there is a diversity of opinion in the community and each organization has the right to present its own particular position, it must be done in an appropriate manner.

In 2011, the Jewish Council on Public Affairs issued a statement on public civility in the Jewish community. It suggested: "The expression and exchange of views is often an uncivil, highly unpleasant experience. Community events and public discussions are often interrupted by raised voices, personal insults, and outrageous charges. Such incivility serves no purpose but to cheapen our democracy,"

It went on to say that we must not stifle free expression of views, but rather protect it, we must uphold the basic norm of civil discussion and debate. Those who signed the statement declared: "We will discover civility in the guarding of our tongues and the rejection of false witness. We will find it whenever we shall care for the dignity of every human being, even those with whom we may strongly disagree. We will find it by listening carefully when others speak, seeking to understand what is being said and trying to learn from it."

In highly contentious issues, especially in the Jewish community, we must learn to follow these two statements. We do ourselves no good if we think that we can close down discussion by closing our ears and not listening to another's views. It seems to me that Jewish history and literature has shown us that an exchange of ideas is important. No page in the Talmud is without disagreement. That is natural. Yet, those disagreements must be held in a spirit of proper respect for an individual's point of view, even one with which we may disagree.

The Torah tells us in these two statements, in the midst of the laws of the Jubilee year, that if we are to have a just society, one in which the rights of the individual are respected, one in which commerce is just, fair, and ethical, one in which even the weakest of our society is protected not only by the actions of another, but also their words, only then we will ensure that our society is based on proper values. Let us attempt to follow these dictates, for if we do, our lives will be better lived and our society will be better served.