

# Reform Judaism: In 1000 Words

## Jewish Business Ethics



### Context

*Judaism is not just a religion of the synagogue, but seeks to guide our behaviour throughout our lives, encouraging us to reflect on our moral behaviour at home, in our interactions with others, and in the workplace. This aspect of Jewish tradition is especially important to us as Reform Jews. We wish to see Jews living their values outside of the synagogue walls and not abrogating their moral and religious responsibilities.*

*In this article, **Rabbi Mark Goldsmith**, Rabbinic Partner at **Alyth**, discusses one area of Jewish obligation, Jewish business ethics.*

### Content

Many *mitzvot* in the Torah deal with our behaviour in business. In their context they seem archaic, dealing with a society of subsistence farmers, trading amongst family and tribe. A substantial series is found in Leviticus 19 and Deuteronomy 23 and 24, dealing with matters such as paying day labourers on the day of work, making interest free loans to the destitute, ensuring that weights and measures for trade are accurate.

The principles of how we do business are eminently interpretable from the *mitzvot* of the Torah. From them comes a Jewish principle that the way a person does business is the essence of who they are and what they have been in this world. Rabbi Dick Hirsch, past President of the World Union for Progressive Judaism wrote that, our most significant religious actions might seem from the outside to be just part of day to day behaviour. “This can be done best not in the comparatively rare moments of prayer or communion with God on important holidays .... but in the daily relations with his fellow men” such as through our behaviour in business<sup>i</sup>.

Maimonides in the eleventh Century wrote that a “Talmid Chacham”, a wise student is not known only by their intellect but by the integrity of their business dealings. “His yes is to be yes and his no, no; he forces himself to be exact in calculations when paying but is willing to be lenient when others are his debtors....he keeps his obligations in commerce, even where the law allows him to retract, so that his word is his bond...he is careful not deprive his neighbour of his livelihood or cause hardship and anguish to others.”<sup>ii</sup>

One of the six tractates of the Talmud, *Nezikin*, is mostly dedicated to the way in which we do business – with the sections *Bava Kamma* being about our obligations to be considerate of each other, *Bava Metzia* about our obligations in trade and *Bava Batra* about land and property transactions. Throughout the rest of the Talmud, business behaviour figures in many comments and laws. The *Shulchan Aruch*, the code of Jewish law from the sixteenth century, is one quarter concerned with business dealings. The section *Choshen Mishpat* deals with a wide scope of business law and ethics, including the law of sale, the law of lending, property law and the law of competition and zoning.

Dr Meir Tamari is the seminal figure of today’s Jewish business ethics, seeking to bring the Torah into today in this field. He was senior economist of the Bank of Israel and lecturer in Economics at Bar Ilan University. His books “In the Marketplace”<sup>iii</sup> and “With all your Possessions”<sup>iv</sup> have made Jewish business law accessible for today. He has shown through these and many other books, and his successors’ teaching at the UK Jewish Association for Business Ethics (1994-2012) and the Jerusalem Center for Business Ethics, that it is irrelevant whether we are talking about oxen and flat roofed mud housing or trucks and skyscrapers, about day labourers and harlots or HR policies and Ponzi investment schemes, everybody in every era has the opportunity to cheat or be honest, to be untrustworthy or have deep integrity, to take advantage of others or

to nurture other's development, to earn their money legitimately or from morally questionable sources. This is an issue which spans the Jewish religious movements and, whilst Reform Jews may apply the principles more widely, to all in society with no preference to Jewish trading partners, it has proved to be an area of Jewish life in which Orthodox and Reform Jews can mostly study and practice together.

Tamari writes that in the final analysis there are six principles to Jewish business ethics that derive from the Torah and through our three thousand years of Jewish textual interpretation:

- 1) There is a limitation on the time that you should allot to economic activity in your life. You have other obligations, to family and friends, to religious life, to restoring yourself. Though Tamari doesn't say it here, he means that no one ever said at the end of their life "I wish I had spent more time at the office".
- 2) The production or sale of goods or services that are harmful to their consumers, either physically or morally, or damaging to the environment is wrong.
- 3) You are responsible for damage you cause to others.
- 4) Theft or economic dishonesty in any form or guise is forbidden, whether you are a seller or a buyer. There may be "one born every minute" but you may not take dishonest advantage of them.
- 5) You must limit your appetite for material goods. Some of your wealth should always be given to others who are needier than you, through *tzedakah*, charity, interest free loans to enable them to set themselves up to make a living and by taxation to finance welfare, education and the physical well-being of the community.
- 6) Being in business is a good thing and building wealth is necessary. The question is how do you do it and what do you do with it, so that your prosperity brings as many people with you as possible.<sup>v</sup>

All of this applies whether you are in business yourself, an employee, a shareholder in a company, or just a person going to the shops. In Judaism we are all equally dignified by the mitzvot and all equally empowered and obliged to make the world liveable for all.

Reflecting the cross-communal nature of this area, the core questions are well-expressed by Rabbi Jonathan Sacks, who wrote: "Of any economic system we must ask: Does it enhance human dignity? Does it create self-respect? Does it encourage creativity? Does it allow everyone to participate in the material blessings of the created world? Does it protect the vulnerable and help those in need to escape the trap of need? Does it ensure that no one lacks the means for a dignified existence? Do those who succeed share their blessings with those who have less? Does the economic system strengthen the bonds of human solidarity?"<sup>vi</sup>

Within a *midrash* found in the Babylonian Talmud, the Sage Rava suggests six questions that might be asked when a person is led in for judgement at the end of their life. Among them is "did you conduct your business faithfully?"<sup>vii</sup> Surely, we would all want to give the answer, "Yes, I tried".

## Contemplation

*Rava's six questions are part of a larger discussion about the importance of religious awareness and motivation. To behave ethically as a Jew, this section of Talmud suggests, is not merely to do good things, but to do so with a sense of religious obligation. To be a Reform Jew is not merely to behave well in business, but to do so as an essential part of one's identity as a Jew – to bring concepts of sanctity, of holiness, to the workplace through our ethical behaviour.*

*In practice, what can it mean for us to express this value in our working lives?*

<sup>i</sup> Richard Hirsch, *The Way of the Upright*, New York: UAHC, 1973. p64

<sup>ii</sup> Mishneh Torah, Hilchot De'ot 5:13

<sup>iii</sup> New York: Targum/Feldheim, 1991

<sup>iv</sup> New York: The Free Press, 1987

<sup>v</sup> Adapted from "With All Your Possessions" pp59-60

<sup>vi</sup> *Dignity of Difference*, London: Continuum, 2004, p89

<sup>vii</sup> Shabbat 31a