

October 5, 1975

Ethics of the Heart:
How pious men refused
to take advantage of common business practice

Basic Judaism is the notion that any person who aspires to be considered “religious” must also be “righteous.” It would not be necessary to repeat this truth so often were it not for the fact that so many observant Jews forget it, and even worse, that so many non-observant Jews insist on using the adjective “religious” to describe people whose ethics are questionable. Such people are simply not “religious.” They are “phonies” and “hypocrites” - but certainly not God-fearing, no matter how they may regard themselves.

However, it must be of interest that this problem is not of modern vintage. The prophets, thousands of years ago, encountered the same problem. And the Talmud too has a magnificent passage which reveals that its sages also had to deal with the same sad phenomenon. Human nature changes slowly, imperceptibly, if at all.

The Babylonian Talmud, in tractate Makkoth (23b and 24a) first cites the view of one Rabbi that God gave six hundred thirteen commandments to the Jewish people. Then it tells us that King David subsequently encapsulated all six hundred thirteen into eleven and these are listed in Psalm XV. Not one of the eleven deals with ritual. All are of an ethical character. Thus the essence of a rite that is in compliance with Torah is righteousness. There is no escape from this conclusion. However, Jews ought to be aware of some of the previous details cited in the Talmudic text.

In Psalm XV for example, we are told that the man who would ascend the mountain of the Lord must “speak truth in his heart.” How does one fulfill this criterion?

The answer: One emulates Rabbi Safra. Of him several stories are told. He maintained extensive trade between Babylonia and Palestine. On one occasion while he was reciting his prayers a prospective buyer announced an offer to buy some of his wares. The price was right and Rabbi Safra would have communicated his acceptance of the offer but for the fact that he would not interrupt his prayer.

The buyer thought that Rabbi Safra's silence constituted a rejection of the offer and therefore he increased the amount he was willing to pay. When Rabbi Safra concluded his prayer he told the buyer the truth that was in his heart. He was prepared to sell at the lower price and did so in fact. He would not exploit to his advantage the fact that he did not interrupt his prayer and while no one would have accused him of making an unlawful gain had he taken the higher price, God knew the truth.

The earlier offer was accepted by him in his heart. God was aware of it and one must always deport one's self so that one finds favor in the eyes of God and man.

On another occasion he was walking on a road outside the town and met Mar Zutra who thanked him profusely for coming to meet him. Mar Zutra never would have expected such a courtesy. But Rabbi Safra had to tell the truth. He said that he would have walked an even greater distance to welcome Mar Zutra but in that particular instance the meeting was altogether accidental and he did not want Mar Zutra to feel beholden to him for what was not in fact a courtesy but only a coincidence. (*Chullin* 94b)

These are simple illustrations of what it means to be conscious of God's awareness of what goes on in our heart. Before one deems one's self "religious" one must measure one's self by this standard: Are we honest even when none but God could possibly know of our dishonesty?

Or consider the phrase in Psalm Xy "he took no bribe against the innocent." (*Makkoth* 24a) The model here is Rabbi Ishmael, the son of Rabbi Jose. His tenant-farmer had been summoned to appear before him in a lawsuit. The tenant-farmer, to ingratiate himself with the man who would judge the case - his own landlord - brought the rent-fruit to the Rabbi on a Thursday instead of the usual Friday. The rent-fruit was due the Rabbi. The only added advantage tendered was delivery a day earlier.

Rabbi Ishmael refused to participate in the judicial proceedings lest the trivial courtesy extended to him influence him to favor his tenant-farmer. He designated other scholars to hear the case. And even as he listened to the proceedings he found himself unconsciously thinking of pleadings the tenant-farmer might have submitted in support of his case. "This itself proved how subtly corrupting the tiniest bribe could be," remarked the Rabbi.

One cannot resist asking how many people engaged in business today could even continue in business if they did not resort to tactics to corrupt the independent judgment of prospective purchasers or clients. Recently there was revealed to all the world how many millions are spent annually by American firms for bribes to men in power in other countries. Is it unethical for a judge to take a bribe but proper for industrialists and statesmen to give and take them, respectively?

The author of Psalm XV would not countenance a distinction. The "religious" man must, in his words, "work righteousness." Like whom? Like Abba Hilkiyahu. When he was employed to perform a day's labor he would not cheat his employer of his due even to the extent of interrupting his work to say "Shalom" to one he encountered. So honest was he with those who trusted him. Shall public officials be less so? (*Ibid.*)

Aye, it is much harder to be "righteous" than it is to be observant of rituals. Perhaps that is why so many seek the easier course. But to be "religious" means first and foremost to be "righteous", because God so wills it and then to be observant of rituals to keep one constantly aware of God.