

THE UNITED JEWISH CONGREGATION OF HONG KONG SHABBAT SHALOM

15 - 16 May, 2009

22 Iyar 5769

Parashat Behar - Bechukotai
(Leviticus 25:1–27:34)

Rabbi Stan Zamek
Song Leader Shani Ben Or

From the Rabbi's desk

The great strength of the Jewish interpretive approach to Scripture is that it has allowed us to give new life to texts that might otherwise be of only antiquarian interest. There is a significant example of this creative re-reading of Torah in this week's parasha.

One of the land tenure issues taken up in parashat Behar is how one deals with land values given that in the jubilee year title to all land reverts to the "original" owners. Considering the logistical nightmare of reshuffling land titles every 50 years, many critical scholars doubt that the reversion was ever carried out. In any case, like the Sabbatical year, this limit on the permanent sale of land only applied in the land of Israel.

What meaning then, can non land-owning modern diaspora Jews derive from this passage?:

When you sell property to your neighbor, or buy any from your neighbor, you shall not wrong one another. In buying from your neighbor, you shall deduct only for the number of years since the jubilee; and in selling to you, he shall charge you only for the remaining crop years: the more such years, the higher the price you pay; the fewer such years, the lower the price; for what he is selling you is a number of harvests. Do not wrong one another, but fear your God; for I the LORD am your God. [Lev. 25:14-17]

The Rabbis of the Talmud saved this teaching from obscurity. The Sages noticed that the passage twice forbids us to "wrong one another". As they believed that there was nothing superfluous in the Torah, each statement was given particular meaning.

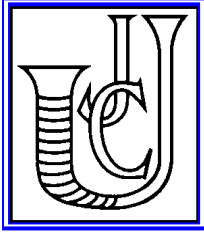
The first "do not wrong on another" (al tanu ish et achiv) was broadened to apply to all property, not just land. From this understanding the Rabbi's determined that goods could not be sold for significantly more or less than a fair price. Sellers were forbidden to gouge even foolish buyers and buyers were not allowed to take advantage of ignorant sellers. Caveat emptor is not a Jewish value. For the Rabbis, if a deal is too good to be true, it is also too good to be permitted. What we might call "market forces" the Rabbis called *ona'ah*, oppression or fraud.

At the end of the passage, in a more generic context, the Torah says again "Do not wrong one another (lo tonu ish et amito)". This was taken to also prohibit *ona'ah*, but of a different kind. As the Rabbis taught "just as there is *ona'ah* in buying and selling, so is there *ona'ah* in words." The second "do not wrong" is seen as a broad prohibition against both insulting and misleading language.

In tractate Bava Metzia, the Rabbis give us some examples of what is meant by "verbal *ona'ah*":

"If one was a repentant sinner, one may not say to him: 'remember your earlier deeds' . . . If he was a convert, and he came to study Torah, one may not say to him: 'shall the mouth that has eaten carrion and treif, abominations and creeping things, come to study Torah that was uttered by the mouth of the Almighty?'"

.../Page 2



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Page 2

It is a regrettable truth that we have a keen instinct for what words will hurt others the most. The Rabbis are telling us that these soft spots are completely off limits.

Verbal *ona'ah* also includes words that mislead another or mis represent our intentions. The Rabbis give us an example of such language that seems tailor-made for shopping mad Hong Kong:

“One may not say to a merchant ‘How much is this object?’ if he does not intend to buy it.”

Ouch.

Verbal and monetary *ona'ah* may not seem to have much in common, but in fact the same principle underlies both prohibitions. We are not permitted to take advantage of one another. In a transaction, we may in fact have superior knowledge to the other party, but fairness limits our ability to utilize it to our benefit. We may also know precisely what to say to cut another down to the ground, but even if deserved, we cannot say it.

In a world in which the market is king and the feelings of others matter little, the Rabbis' message is wonderfully dissonant. For our tradition, the bottom line is always compassion.

All Blessings
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14th May, 2009