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ARE WE DEFILING THE LAND?

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Imagine that you have a dinner guest who regales your family with a story of how he “bested a competitor,” unethically or even illegally reaping a windfall profit. He laughingly describes how he did this—to wit: buying cheaply manufactured goods, removing the country-of-origin sticker, and then underselling his competitor, all the while conveying to his customers the impression that the goods were manufactured in a country with a much better reputation for quality.

In such circumstances, we have several alternative ways of thinking about whether and how to respond.

- During the dinner, we may carry on a private debate with ourselves about what will be the effect on our guest and others at the table if we immediately and directly question or condemn his behavior.
- We may also engage in an inner struggle about what we will think of ourselves if we fail to remark on his behavior.
- And we may contemplate what effect this person is having on our young children—who are listening quietly to the dinner table conversation—while wondering also whether they are asking themselves why we don’t speak up and respond to our guest’s behavior.

Although such situations present us with competing values and interests, most of us can reason out a moral and ethical course of action under these circumstances. But it’s not always easy, on the spot, to balance the values and interests, to be certain about what to say or do.

It’s in such situations that our tradition can be an invaluable asset. It’s particularly helpful because, in addition to facts, information, and knowledge, it bequeaths time-tested wisdom to us—which has proven to be right, true, and lasting in every generation of our people.

Regarding our dinner guest, we may take guidance from the tradition in the form of the Torah’s

commandment, “And you shall not defile the land that you inhabit, in the midst of which I dwell; for I, Adonai, dwell in the midst of the children of Israel.” (Numbers 35:34)

The operative Hebrew words in this verse are *v’lo t’tamei* (וְלֹא תִטְמֵא—and you shall not make unclean). We usually define the meaning of *ט-מ-א* as to defile, pollute, or contaminate; but it also encompasses the experience of being bound and losing one’s freedom. What, then, in the context of our unethical dinner guest, does it mean, “you shall not defile the land”?

Sifre, the oldest rabbinic commentary on Numbers and Deuteronomy, teaches that we are forbidden to flatter a wrongdoer. That is, we should never praise or fail to censure one who is doing wrong. In praising wrongdoing or failing to censure it, several things happen.

As Samson Rafael Hirsch (1808-1888) teaches, “By ignoring the demands of “Justice, Love, and Morality,” we destroy the foundations of “the social well-being of the people.” We become morally accountable for their behavior, for the harm they cause that we might have prevented.

What might that harm entail, more specifically?

Beyond the guest, who may be approached privately after the dinner, every person who hears the his words and has even the slightest inclination to engage in the same kind of behavior is reinforced in his or her inclination and in the future likelihood of acting similarly when the opportunity arises.

Every person who recognizes the impropriety of such behavior potentially responds to the modeling of well-regarded and respected persons who are present but fail to speak up, thereby reinforcing as appropriate the thought and behavior of remaining passive in the presence of immoral speech and action.

Moreover, by failing to reprove such speech and behavior, we do a disservice to the person who engages in it, unwittingly reinforcing the likelihood of his continued moral and ethical dissolution.

The net effect of an increase in such behavior on a large scale, which in fact has been the case in American society, is certain to be an increase in measurable pain and loss for individuals, for families, congregations, and businesses, and for communities and institutions.

The scriptural language that we should not defile the land “in the midst of which I [God] dwell” has a direct bearing on such situations.

Rashi (Rabbi Shlomo ben Yitzchak, 1040-1105) teaches that the meaning is, “You shall not cause me to abide in uncleanness.” In effect, by remaining in the impurity of our own indifference to injustice, hatred, and immorality, we ourselves become increasingly estranged from God. Ultimately, we become unwitting witnesses to the increasing appearance of God’s powerlessness in the world.

So, we may want to ask ourselves, is that in fact what we want?

Our verse concludes with, “for I, Adonai, dwell in the midst of the children of Israel.” And few of us are ever entirely estranged from a sense that a far greater power than ourselves is creating and managing the universe, even when we personally are engaged in behavior that we find reprehensible in others.

Rashi teaches about this: “Even during the time when they are unclean, the Divine Presence is among them (Sifre)” —that is, God’s mercy and compassion are always present, accessible.

How are we to understand God’s compassion, the divine *rachmanus*? What does it mean to say that God is compassionate?

One way to understand it is to recognize that the creation is such that that which has not yet completely died within us and around us, we can bring back to life by our holiness, by our commit-

ment to justice, love, and morality in the image of God.

Consider that when we stop poisoning things, ourselves included, if they haven’t died yet, they usually come back to life. It’s the way of the “*creation*,” both the noun and the verb—not just what God created once, but the way the creation actively works moment by moment.

It is always possible, in this sense, to be at one with God, so the land and the people need never be permanently estranged from holiness and all the good things that sanctity can bring to us, to our families, to our communities, and to our people.

Withal, the stakes are far too high not to speak up with a reproof to our dinner guest’s comments. The only question is, how are we to respond in a way that avoids publicly shaming and embarrassing this person?

One solution is to speak privately later with each person who was present at the dinner. But that option has several drawbacks and, if it’s not feasible, say because some of the guests will not be available, then we may want to take an opportunity some time during the dinner to discuss what the tradition teaches about business ethics, without making any direct reference to the guest himself.

However, given an assessment of great potential harm from failing to reprove the behavior in question, we may be justified in rebuking the guest personally and directly, particularly when to do any less has the effect of risking the loss of our own moral and ethical freedom by making the land uninhabitable, ultimately depriving us of moral choice by defiling the land.

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