

Honest Weights and Measures

Shabbat Ki Teitzei 5781

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The Torah is divided into fifty-four portions. Nevertheless, more than ten percent of Judaism's 613 *mitzvot*, our religious obligations, are rooted in this week's reading.ⁱ

Some people insist that religion should be restricted to its spiritual sphere, governing only ritual matters and the way that we relate to God. However, a substantial proportion of the commandments in *Ki Teitzei*, this week's portion, are about the ways that human beings ought to treat one another. Take, for example, these four verses, which insist that people interact fairly in business:

You shall not have in your pouch alternative weights, larger and smaller. You shall not have in your house alternative measures, a larger and a smaller. You must have completely honest weights and measures, if you are to endure long on the soil that the Eternal your God is giving you. For everyone who does those things, everyone who deals dishonestly, is abhorrent to the Eternal your God.ⁱⁱ

Ancient people used scales, and they would put a stone, weighing a fixed amount, on one side of the scale, and the product—let's say, wheat or bread, on the other. To cite an example, inspired by the medieval commentator Rashi, a baker must not use a dishonestly heavy weight to buy more flour for a dollar, and then switch to a lighter weight to sell a smaller quantity of bread for the same dollar.ⁱⁱⁱ

God cares deeply about business ethics. Commercial dishonesty is called "abhorrent to the Eternal your God." Another commentator, Ibn Ezra, explains that the verse means that God despises "everyone who [uses the dishonest weights,] then generalizes to everyone who practices deceit: whether in word or in deed; whether in private, or in public."^{iv}

In the United States, business ethics is not typically treated as a religious matter. Instead, it is regulated by the government. The next time you fill up with gas, have a look at the pump and its seals, certifying that the state has confirmed that each gallon of gas you are pumping into your car really is a gallon. The State of Arkansas is enforcing its own law as well as a prescription laid down in the Torah millennia ago.

"Government regulation" is often disparaged in this country, as if all enforcement of business standards were unnecessarily costly and stifle innovation.

I have no doubt that some are, but the vast majority of commercial regulation, like the commandments of the Torah, protect consumers, prevent dishonest businesses from benefiting at the expense of honest ones, prohibit discrimination, and ensure our health and safety. Most American businesses are honest, just as I imagine most ancient Israelites to have been. Still, the Torah would not require honest weight and measures if unscrupulous business practices were not a problem, just as we would not need government regulation if there were no bad actors.

And there are bad actors. Admittedly, the problem isn't as simple as selling nine-tenths of a pound of bananas as if it were a full pound; but the wrongdoing is similar.

One of the most horrific involves our nation's opioid crisis. The Centers for Disease Control and Prevention reports: "Nearly 841,000 people have died since 1999 from a drug overdose. Over 70% of drug overdose deaths in 2019 involved an opioid."^v Those numbers don't even begin to tell the story of lives ruined by less than fatal opioid addiction; families bereaved when loved ones have died from opioid overdose, often after significant effort by the patient to overcome the addiction with family and professional support; and communities impoverished by the epidemic's mammoth costs.

No one entity is solely to blame. Mental illness is a tremendous problem, and treatment is often unavailable or unaffordable. Unscrupulous or poorly informed physicians often provided prescriptions they should have withheld.

Still, big businesses, and one in particular, are at the root of this scourge, in ways similar to others we have faced in the past. Remember when we learned that tobacco companies had long known nicotine to be addictive and smoking to be extremely harmful, but that they had hid their knowledge as they fought government regulation of their lethal product? Or when oil companies concealed what they knew about the accuracy of climate science to prevent regulation that would reduce reliance on fossil fuels and protect our environment?

Patrick Radden Keefe has uncovered similar wrongdoing in his book, *The Empire of Pain: The Secret History of the Sackler Dynasty*. Purdue Pharma, a pharmaceutical company owned by the Sackler family, made billions, beginning "in the late 1990s with OxyContin, which contains the addictive opioid oxycodone. Purdue sealed the pills in a slow-release coating, which the company claimed would make them far less addictive. This was a hypothesis...that they didn't actually have any real persuasive proof for. But it became a signature element of the marketing of OxyContin."^{vi}

Keefe uncovered emails where senior Purdue Pharma executives discuss the issue “very explicitly... [T]hey realized that oxycodone, in the minds of most doctors, was not as strong as morphine, it wasn’t as threatening.” However, Keefe continues, “The crazy thing is, oxycodone is actually significantly **stronger** than morphine. It’s not weaker. But doctors had this misapprehension that it was a weaker drug. And there are all these e-mails in which these senior Purdue executives...have these conversations in which they say explicitly, let’s not do anything to make doctors realize they have this wrong.”^{vii}

No, they weren’t selling less than a pound of bananas for the price of a pound. Purdue Pharma was doing something similar yet more nefarious: Like big tobacco and big oil before them, they put their foot on the scale, selling lethal products while representing them as safe. Purdue and the Sackler family violated the Torah and American law.

When we hear “government regulation” described as a curse, let us recall that the Torah requires honesty in business. Let us demand that our government, like the Torah before it, strive to protect innocent individuals, families, and communities, from harm. Torah prescribes *mitzvot*, in its own words, “by the pursuit of which human beings shall **live**.”^{viii} Let life be preserved by the pursuit of righteousness!

Amen.

ⁱ Cantor Evan Kent, “The Power of Collective Memory,” *ReformJudaism.org*, August 16, 2021, [The Power of Collective Memory | Reform Judaism](#).

ⁱⁱ Deuteronomy 25:13-16.

ⁱⁱⁱ Rashi to Deuteronomy 25:13, based on Difrei Devarim 294:1, per *Sefaria*. The wheat/bread example is mine.

^{iv} Ibn Ezra to Deuteronomy 25:15.

^v “The Drug Overdose Epidemic: Behind the Numbers,” Centers for Disease Control and Prevention, March 25, 2021, [Data Overview | CDC's Response to the Opioid Overdose Epidemic | CDC](#).

^{vi} “New book sheds light on secretive Sackler family—the makers of the opioid OxyContin,” *NPR*, April 12, 2021, [New book sheds light on secretive Sackler family — the makers of opioid OxyContin | PBS NewsHour](#).

^{vii} *Ibid*.

^{viii} Leviticus 18:5.