

PLAYING FAIR

by Rabbi Berel Wein

Competition is an accepted condition in our society. In commerce, sports, government, the arts and sciences, competition is the fuel for the engine that drives our society forward. Without competition we would be at the mercy of monopolists, cartels and a controlled society that would stifle all progress, efficiency or incentive for personal reward. The Talmud itself speaks highly of competition, at least in educational and scholarly matters, when it states that "competition amongst scholars increases wisdom and knowledge." Nevertheless, like all seemingly positive attributes, competition should have its limits. Unrestrained, cutthroat, vicious competition is immoral, wrong, and eventually counter-productive to the society itself. This week's Torah reading introduces the prohibition against the concept of "hasagat gvul" - unfair and immoral competition. The Hebrew words *hasagat gvul* literally mean overstepping or illegally encroaching on one's neighbor's border. Just as it is obviously wrong to move one's border fence to gobble up a piece of ground of the neighboring lot, so too is it wrong to engage in unfair competitive practices in order to injure someone's business in order to benefit one's own business enterprise. As naive and altruistic as this may appear at first glance, there is sound social and economic sense behind this Torah policy.

The Torah is interested in creating a fair, just, harmonious and compassionate society. Unfair competitive practices, when practiced regularly, openly and without shame, prevent the achievement of such a society. In the words of Rabbi Abraham ibn Ezra, the great philosopher, poet and biblical commentator of the twelfth century, "for such unfair competition [such as border encroachment] automatically leads to quarrels, violence and even murder." Rapacious economic practices in the eighteenth and nineteenth centuries led to the reactions of socialism, communism and other state-controlled economies in the twentieth century. The prophecy of ibn Ezra of "quarrels, violence and even murder" was thus fulfilled in front of our horrified eyes. Excess begets excess and greedy, exploitative, unfair competition begets unfair state-controlled, repressive monopoly and tyranny. Thus the Torah frowns on negative remarks regarding competitors' products and personalities. Negative advertising, whether in politics, commercial services or manufactured products, is not allowed and is definitely a form of *lashon harah* - evil speech. One may describe accurately and even boast about the wonderful and unique qualities of one's own products or services, but it is unfair competition to knock the other person's product or services. I know that this sounds strange to twentieth century American consumers, who are bombarded by telemarketing, incessant advertising and a terrible amount of negative competition atmosphere. But Jews and their Torah understanding of life always were bidden to swim upstream against the current.

I think that the prohibition about "encroaching on the border" affects many areas of life. Following this precept guarantees the sanctity of privacy, the holiness of confidentiality and the civility necessary for a fair, civil and trustworthy marketplace. There is unfair competition in families and institutions for time and attention, for wealth and opportunity, even for love and caring. In fact, it is probably within the family circle, at the very beginnings of life itself that the seeds of destructive competition are planted. A wise parent is aware of the dangers of pitting sibling against sibling, of unfair comparisons of abilities and attainments. It is the individual, unique human being that counts, and though competition in human life is unavoidable, the destructive aspects of competition can and should be controlled and minimized.

Shabat Shalom.
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