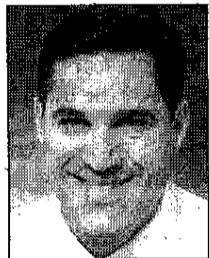


# Op-ed

## Rubashkin: A Jewish name has a name to uphold

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It is clear from a legal immigration perspective that there was a lot of head-turning going on in the hiring process at Agriprocessors meatpacking plant. Certainly I-9 compliance (a form verifying a worker's legal status in the country and eligibility for work) was not in order, as there are literally thousands of immigrant worker and child labor violations alleged in the case.



But whether Agriprocessors and the Rubashkin family are eventually held fully or partially responsible for the various violations alleged is not really at issue. The protesters who have gathered and the rabbis who wish to see action taken are not concerned with final court rulings so much as they are with the ethics of business and a Jewish standard of business behavior.

The expectations of those weighing in on this issue are loftier than justice in the courtroom for obvious wrongdoings and violations of American law. The American legal system can handle the hundreds arrested and convicted for falsification of papers and can dole out consequences and punishment for whatever it deems the Rubashkins' part in the matter to be.

To us as Jews, the problem here is a larger, more glaring problem of ethics. At the end of Deuteronomy, the Torah empowers us, declaring "lo bashamaim he" — "[The body of God's commandments] is not in the Heavens.... Rather, this thing is very near to you, in your mouth and in your heart, to observe it" (Deuteronomy 30:11-14). Our moral and ethical guide has placed the responsibility of observance of these laws in our hands and demands that we uphold this code to the highest degree.

Fulfillment of that command does not allow for the overlooking of infractions or for skirting around the letter of the law. That is not our doctrine, nor a proud representation of our people.

As Jews, we are to always hold ourselves to a higher standard and demand more of ourselves. Unethical or immoral practices may not be dismissed because they are "normative industry practices." That higher standard is what is required from Rubashkin in regard to this matter.

Rubashkin management claims no prior knowledge of the information that holds the company responsible for these infringements. The company claims the papers were forged and it didn't know of the adolescence of many of its employees. But does this excuse its actions or should it nevertheless be held responsible? And if it should indeed be held responsible, then by whom? The government? The kosher supervision authorities?

Certainly the government should monitor immigration and handle those in violation of their codes. But what can the Jewish authorities do to police ourselves so

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as to protect our name in the public arena? Perhaps this misconduct would not shame the Jewish population so terribly if it had been discovered and condemned — or even prevented — from within, rather than from without, our own communal establishment.

As a result of the investigations and accusations, the violations and charges levied against Rubashkin, the Conservative movement — with the cooperation of the Reform movement — is calling for a new policy dubbed "hekhsher tzedek." It represents a set of moral and ethical guidelines to be upheld alongside the strictures of kashrut — a demand that not only the slaughter of animals must comply with the Torah's requirements, but that the treatment of workers and the environment in the plant must also pass a stringent check of principles related to industry practice in order to receive a stamp of approval.

This new hekhsher tzedek would confirm that a company is upholding, to the highest possible degree, Jewish ethical codes as it applies to that field. In conjunction with the governmental arm already regulating meatpacking, the body in charge of this additional kosher certification represents an internal arm attacking issues before they become notorious and modifying practices to conform to the spirit of the law, both American and Jewish. It stands to serve as verifiable confirmation that a kosher product corporation, and particularly one owned and operated by Jews, is run in a morally and ethically sound manner.

And such a hekhsher is really very much in line with the highest standard of change in the business world today. As triple-bottom-line reporting and other voluntary environmental and social compliance become the norm in more and more industries, demanding accountability in the moral treatment of employees and higher ethical standards in ready compliance with the law follows the current pattern of the best businesses.

Whether or not hekhsher tzedek becomes normative in the food industry, one thing is certain: Jewish mischief in any public arena, in addition to being inappropriate, serves to harm the credibility of the entire Jewish community.

