

# CRIME AND PUNISHMENT

*by Rabbi Daniel Travis*

*The world was corrupt in front of God and the land was filled with crime. (Bereshith 6:11)*

Although the generation of the flood committed numerous sins, the primary "crime" for which they were eradicated was that of theft.<sup>(1)</sup> Why is this transgression singled out as the reason for the punishment? Faith in God is a foundation of the Torah, and someone who steals shows complete lack of trust in God.<sup>(2)</sup> Therefore, stealing is like transgressing the entire Torah.<sup>(3)</sup>

The word "stealing" conjures up a picture of a mugger holding someone at gunpoint. Although most people are not involved with such theft, the majority of individuals nonetheless transgress the laws prohibiting theft. <sup>(4)</sup> Therefore, when the Torah prohibits stealing money, it is written in the plural, to show that everyone must take special precautions to guard themselves from this particular transgression.<sup>(5)</sup> This is in contrast to the Ten Commandments, in which the prohibition against stealing people (kidnapping) is written in the singular, for very few people reach such a level of corruption.<sup>(6)</sup>

The Torah prohibition of theft applies regardless whether one steals from a Jew or non-Jew.<sup>(7)</sup> If stealing would lead to a desecration of God's name, then stealing from a non-Jew is viewed as more serious an offense than stealing from a Jew.<sup>(8)</sup> Consequently, the punishment for doing so is very severe, and money accrued via such means is quickly lost. In one instance an individual who stole from a non-Jew was punished through the death of his children. Since all of his children died immediately after they married, he lost the stolen money as well, for all the money he had given to each child was left with the family of that child's spouse.<sup>(9)</sup>

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1. *Sanhedrin 108a as cited by Rashi.*

2. Rabbeinu Bachyeh, beginning of Parshas Beshalach.

3. Kad Hakemach of Rabbeinu Bachyeh (Gezel).

4. Bava Bathra 165a.

5. Vayikra 19:11.

6. Vilna Gaon, Sefer HaLikutim 2:20b.

7. See Rambam, Laws of Theft (gezeilah) 1:1; Smag, Second Negative Commandment; Shulchan

Aruch 348:2; Maharshal, Yam Shel Shlomo, Bava Kama 10:20; Aruch HaShulchan, Choshen Mishpat 348:2.

8. Tosefta Bava Kama 10:8.

9. Sefer Chasidim 661.

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