

DO NOT STEAL PART 2

by Rabbi Yehonasan Gefen

There are a number of Mitzvot in the Torah that relate to stealing. The most well-known source is found in the 'Ten Commandments'; The Torah commands us, "Do not steal (lo' tignov)-1 " It is less well-known that in Parshas Kedoshim, the Torah further commands us, Do not steal -2. " The Talmud explains that the Torah is teaching two separate kinds of stealing; the stealing referred to in the 'Ten Commandments' actually relates to kidnapping a person-3 . In contrast, the stealing discussed in Parshas Kedoshim, refers to stealing the property or money of another person. The Rabbis explain that the hebrew word used for stealing in this verse, (the root of the word is 'gonev') means one specific kind of stealing - stealing in secret, where nobody else is present-4 . An example of this is if one burgles a home whilst no-one is home.

Two verses later, the Torah tells us yet again not to steal (lo' tizol- 5) . However, on this occasion it uses a different hebrew word, whose root is 'gezel'. The Rabbis explain that this word describes stealing openly. For example, one who robs a bank in the presence of others, is guilty of 'gezel'.

If a person was asked, which is the more severe kind of stealing, stealing in secret or stealing openly, he would likely say that stealing openly is worse. However, the Rabbis tell us that stealing in secret is more severe - why is this the case? They explain that a thief demonstrates a blatant disregard for the will of Hashem, because he flagrantly disregards the commandments to not steal. When this thief steals in public, he shows that he similarly has not regard for the opinions of other people. He feels no concern that they will view him in a degrading fashion. In contrast, a thief who only steals in secret, demonstrates that he fears the opinion of other people. Thus, he shows a strong element of hypocrisy - he fears the opinion of other people, but has no regard for the opinion of Hashem. The open thief is, at least consistent in his disregard for what both Hashem and other people think of him.

The final form of stealing described in the Torah is known as 'oshek' - this is translated as cheating others. It refers to when a person refuses to pay someone who has loaned him money, or who has given him services of merchandise. Oshek is considered to be no less severe than actively taking something away from one's fellow.

1- Parshas Yisro, 20:13

2-Kedoshim, 19:11.

3-Sanhedrin, 86a - see there for an elaboration of the prohibition of kidnapping and for an explanation as to how the Rabbis came to the conclusion that the stealing here only refers to

kidnapping.
4-Bava Kamma, 79b.
5-Kedoshim, 19:13.

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