

DO NOT STEAL PART 12

by Rabbi Yehonasan Gefen

In the previous article we discussed various forms of deceit and trickery that constitute stealing. What is the law when money or merchandise is given in error? Is the person ever permitted to keep the money without informing the company or individual of his mistake?

The Talmud tells us that deliberately neglecting to return money given in error is forbidden by three Torah commandments. One of them is the prohibition not to steal. The other two are commandments relating to the obligation to return lost objects - money or items given by mistake fall in the category of lost items that must be returned.^[1]

There is much discussion about returning money given in mistake by non-Jews, which is beyond the scope of this column.^[2] However, it is important to note that it is highly recommended to always adopt an approach that takes into the consideration that other people will carefully observe view a Jew's actions in monetary matters. By being scrupulously honest, a Jew brings about a kiddush Hashem, (a sanctification of G-d's name) whereby people see the virtuous conduct of the Jewish people. Conversely, being deceitful brings about a chillul Hashem (a desecration of G-d's name).

Rav Pinchos Bodner shlita tells over the following story that demonstrates the importance of being honest, and the way we are viewed by the people around us.

Rav Yaakov Kaminetsky zt"l^[3] recounted that when he was a Rabbi in Lithuania before World War 2, he was asked a question by a resident of his community. The man had purchased stamps from the local post office, and had received more stamps than he had paid for. For such a poor man, the extra stamps were no trifling matter. Nonetheless, Rav Kaminetsky suspected that perhaps the postal clerk was testing the rabbi. This suspicion was confirmed a short time later when the clerk gave him too much change. The rabbi returned the extra money. Many years after the Nazis came and destroyed the community, the rabbi heard that this clerk had saved many Jews, testifying that he tested everybody to assess their honesty, the only trustworthy people were the Jews!

This teaches us that in addition to the obligation to be honest and avoid thievery, a Jew must be extra vigilant to bring about a kiddush Hashem.

[1] See gemara, Bava Metsia, 26b.

[2] See Rav Pinchos Bodner, 'Halachos of Other People's Money, p.5-51 for more on this issue.

[3] He was one of the leading Rabbanim in the world in the second half of the 20th century.

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