Do Not Steal: A Different Perspective

The prohibition of stealing seems obvious at first glance. What new idea can we learn from this seemingly obvious emphasis?

When we look at the legal form this law takes and infer the philosophical underpinnings of the law from that form, we can understand something that can change the way we evaluate our actions and those of the people around us.

What is ownership? How is ownership effected? The simple answer would be that when something is in my possession, physically (in my hands, or within a place that belongs to me, such as a house or a car, etc.) – it is mine, and when it is not in my possession, physically – it isn’t. However, this is not entirely true, as we don’t always have our possessions in our hands. For example, if I lend a neighbor a book, a hammer, a chair, etc. – has it ceased being mine? When I give the bank my money for safe-keeping, has it switched owners? Of course not!

The Torah discusses the level of liability and responsibility these individuals have towards the objects entrusted to them by the owners, but the object is still – at its core – an object which belongs to the owner.

This is an important point because it saves the person now holding the object from being a thief. In other words, since the owner intends to temporarily detach himself from ownership by giving the object to someone else, and that someone else does not intend on stealing the object for himself but rather to eventually return it to the owner – this is a lawful act, which is not prohibited in any way.

However, a thief is considered as committing a prohibition for precisely this reason: his intent. Since the thief intends to remove the object from the possession of its owner, and the owner does not intend to give it to him (because if he did, it would be lending or selling) – he is a thief.

What this shows is that ownership is not primarily about a given state of affairs, or even about an action taken at a specific time. One could own an object even if it is on another continent, a different time zone, and in the hands of another person. The difference between someone who has borrowed an object and someone who has stolen it is mostly this: the intent they have when the object comes into their care.

Throughout our lives, we are sometimes quick to judge others according to their actions. We erroneously believe that the external result of their actions is sufficient for us to render some sort of judgment.

These Corona times offer several good examples of why this is wrong. If one were to say: “I know someone who hasn’t visited his parents in months,” we might think this individual was not a good son or daughter. This is certainly a valid conclusion, but it is only one of several we could infer from this information. I think we all understand that in current circumstances, such information would not imply a lack of respect for parents, but rather an attempt to ensure their safety.

While the action – or in this case the non-action – of both the caring child and the neglecting child is the same, the intent is what really matters.

And this is what we learn from the prohibition to steal: intent is a pivotal factor, and our judgment of the things happening around us must always take this into account. And since, more often than not, the exact extent of a person’s intent is unknown to us, perhaps we should be more modest in our clear-cut evaluations of others. Before we jump to conclusions, let us try and judge people favorably and meritiously, as we would like them to judge us too.

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