

From the Ohr HaChayim

by Jacob Solomon

If a person sins, and does an act of trespass against G-d by lying to his neighbor about a deposit, a pledge, a robbery, or oppressed (Rashi, denied the wages he owes him) his neighbor, or found a lost article, and then falsely lies about it under oath... then he shall restore in full to the owner what he has unlawfully taken, and add one-fifth of its value... He shall also bring his guilt offering to G-d... The kohen will effect atonement for him before G-d, and he will be forgiven (5:21-26).

The Torah states that a korban chatat, a sin offering, was to be brought for accidentally transgressing things forbidden by the Torah. Following the offering (*and sincere T'shuva - Ed*), the sin would be forgiven. The sin offering was not to be brought, however, if the person had intentionally done wrong.

However, there are exceptional cases in the Torah where an offering could be brought for a transgression done on purpose. Included is the above: where a person falsely denies having stolen property when under oath. He then changes his mind and decides to own up. The Torah gives him a chance to repent by returning the items, adding an extra fifth to the value, and bringing a guilt offering.

And afterwards, the Torah declares, he will be forgiven.

It appears that the Torah appears to treat theft and lying under oath more leniently than what was the norm of contemporary civilizations, despite theft being the eighth of the Ten Commandments (*and False Oath being the third - Ed*). In ancient Babylonian society theft was punishable by death, whereas the Torah invites the thief to correct the wrong by compensating the owner and bringing an offering to the Temple.

The Ohr HaChayim offers an insight into fundamental issues underlying the behavior of the thief. Based on his interpretation of these p'sukim, he explains that the thief does not understand what life and property are all about. His understanding is flawed; his cognition is faulty. Indeed, nefesh ki techeta does not only mean a person who sins, but a person who gets things wrong. He or she needs to understand that the reason that other people possess things worth stealing is that G-d wishes it to be so. If the other person has lawfully-obtained wealth, he or she only has it because G-d wants it that way. It is that person's allocated portion. In depriving others of their G-d-ordained due, there is "an act of trespass against G-d". He is as good as telling Him that he had no business to let the other have the object and He should have given it to him instead. (He forgets, of



course, that that Creation has enough resources to take care of his needs as well.)

"Falsely lying about it under oath", is where he takes that erroneous line of reasoning even further. He thinks he deserves it more than the other person. He forgets that G-d has decreed otherwise.

This, the Ohr HaChayim explains, is the way that the thief reasons. He looks only at what he believes is social injustice. He thinks his needs are greater than those of his neighbor and thus he is entitled at the expense of his neighbor. It is that thinking that needs to be corrected.

But "ki yecheta v'ashem", when he himself sees that his own false reasoning prompted him to steal and lie about it, "he shall restore it full to the owner... add one fifth to its value... and bring his guilt offering to G-d". These acts reflect that his fundamental thinking has changed, and that he has recognized that G-d supports others owning legally-gained wealth even if the distribution of wealth is not to his liking.

That is a key element in teshuva: the change in the mind-frame that powers the behavior. 📖

