



Lecture # 9 Part 1

The Ten Commandments, The Laws Governing Man's Duty To Others (Part 8): Commandment Eight Concerns Man's Property—Never Steal, [Exodus 20:15](#)

The Eighth Commandment The Sanctity of Property “Lo tignov” ([Exodus 20:13](#)) “Thou shalt not steal”

[Exodus 20:15 \(BHS\)](#)

¹⁵ לֹא תִגְנוֹב: ם

“Lo tignov”

[Exodus 20:15 \(KJV\)](#)

¹⁵ “Thou shalt not **steal**.”

[Exodus 20:15 \(NASB\)](#)

¹⁵ “You shall not **steal**.”

Although a straightforward reading of this brief text yields a prohibition against misappropriating property, it is noteworthy that this commandment, notwithstanding its general connotation, has been interpreted in rabbinic tradition as specifically referring to kidnapping, for which there is no equivalent word in biblical Hebrew.

The question, of course, is why did the sages consider it necessary to make this somewhat counterintuitive interpretation of the text? The answer, as pointed out by **Luzzatto**, is simply that as a general rule all negative biblical commandments are set forth as prohibition and penalty for violation of the prohibition, both only infrequently given simultaneously or in tandem. In the case of abduction or kidnapping, which is considered a capital crime, the penalty is clearly set forth.

[Exodus 21:16 \(NASB\)](#)

¹⁶ “**He who kidnaps a man, whether he sells him or he is found in his possession, shall surely be put to death.**”

However, there is no independent general prohibition against abduction to serve as a warning, and Judaic jurisprudence requires that a warning against a particular behavior must be given prior to the act in order for the penalty to become actionable, “a person may not be punished unless he has been first warned.”⁴²² Accordingly, the sages felt it necessary to interpret “**Thou shalt not steal**” as referring to abduction.⁴²³

This interpretation finds its source in the **Talmud**: “Our rabbis taught: Thou shalt not steal—Scripture refers to the stealing of human beings.” How do they draw this conclusion? There is an accepted rule of biblical exegesis that asserts “A law is



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interpreted by the general context [within which it is stated]. Of what does the text speak? Of capital punishment, hence, this also refers to capital punishment.”⁴²⁴

In explanation of this text **Rashi** points out that the relevant text includes the three injunctions against **murder, adultery, and stealing**, and that the three are therefore related to a common context, which he describes as follows: “Thou shalt not murder; thou shalt not commit adultery”, speaks of matters the transgression of which involves the exaction of a death penalty at the hands of a court, therefore, even thou shalt not steal is a matter whose transgression calls for death to be inflicted by a court.⁴²⁵ It goes without saying that under Mosaic Law the theft of property is not considered a capital crime whereas kidnapping is so categorized.

The general penalty provision of the law against abduction states:

Exodus 21:16 (NASB)

¹⁶“**He who kidnaps a man, whether he sells him or he is found in his possession, shall surely be put to death.**”

Of course, because the prohibition of abduction in the Decalogue was given to the Israelites, it is reasonable that the penalty provision was intended for them as well. There is, however, another penalty provision that relates specifically to an Israelite who commits the crime:

Deuteronomy 24:7 (NASB)

⁷“**If a man is caught kidnapping any of his countrymen of the sons of Israel, and he deals with him violently or sells him, then that thief shall die; so you shall purge the evil from among you.**”

Whereas the **first statement** makes the act of abduction a capital offense, whether the person abducted is held by the kidnapper or sold into slavery, **the second** stipulates that abduction becomes a capital offense only if the person abducted is made into a slave or is sold. In other words, the act of abduction is not in itself a capital crime. The sages, of course, had to find a way of reconciling these conflicting statements.