SEVEN LAWS OF BENE NOAH (#5): Theft vs. Labor

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Theft, in all its forms, is condemned in the Noahic law. As is customary, Rabbi Benamozegh begins his exposition of this law mentioning its source. The sources of the Noahic laws, which are universal, are obviously pre-Mosaic, and in the opinion of many classical Tora commentators, these were the laws that regulated the lives of our ancestors Abraham, Itsjak and Yaaqob, that is, before the giving of the Tora.

Let's take a look at the sources in Genesis that produced, directly or indirectly, the idea of □□possession, acquisition, private property and theft.

First, for the Tora work, labor, is associated with acquisition (qiniyán). It is when you "work", modify an object, or when you work and care for the land that you take possession of it. This foundational Biblical idea was transmitted to the first man, as the Tora says (Genesis 2:15): "HaShem, God, took man and put him in the garden of Eden to work and take care of it." Labor gave man the right of possession of the land in which God established him (this land did not belong to any other man!). Theft is a crime that also undermines this idea: that "acquisition" is the result of labor, effort and work and not of an act of violence.

Secondly, when God establishes Adam in paradise, he says: (Genesis 2:16) "You may eat [the fruits] of all the trees in this garden, but you will not be allowed to eat the fruit of the tree of knowledge of right and wrong". The rabbis indicated that the first part of this verse teaches the prohibition of theft, since God had to explicitly authorize man to eat the fruits of the trees. In other words, benefiting from a "natural" element is not an innate right of man. The first human being was instructed to know that all what is created belongs naturally to the Creator. He could not take it, use it or enjoy any element of Creation if he does not have God's permission to do it.

In the treatise of Berachot the Talmud refers to a very similar concept when it speaks of the blessings we say before

eating. In principle, the Sages explain, we must understand that everything belongs to God, because He is the Creator. When we say a blessing before eating we are not thanking God ("we thank Him" when we pronounce the blessing after eating), rather, we are recognizing and declaring Him as Creator, and in this way we are grabted a Divine permission to benefit from Creation. Therefore, if a person does not say a blessing before eating, it is as if he had stolen from God (□□□□□).

The prohibition to steal includes all types of theft. Active, as assault or robbery, or passive as refusing to pay the employee his or her salary. The employee must also respect the time he works for the employer and his private property: a worker who collects fruit, for example, can not eat from his employer's fruits without his explicit permission. Kidnapping, slavery and any type of human trafficking is also included in this prohibition.

As in other laws, for the Noahic law theft is more serious than for the Mosaic law, because theft was more common in the pagan world, and it needed to be eradicated. This is particularly reflected in the punishment applied to this transgression: capital punishment. Rabbi Benamozegh quotes the famous Montesquieu (1689-1755) who said: "When private property rights are not respected, there may be reasons to apply the maximum penalty." This reminds us once again that to build and educate a society where private property is meticulously respected.