

If a man shall steal an ox, or a sheep or goat, and slaughter or sell it, he shall pay five cattle in place of the ox, and four sheep in place of the sheep. (21:37)

One who steals an ox or sheep and sells or slaughters it must pay five times the value of the ox and four times the value of the sheep. Rabbi Yochanan ben Zakkai states one reason for setting the fine for a sheep to be less than that of an ox. He attributes the reduction to the thief's humiliation when he carries the sheep on his shoulders as he escaped. The embarrassment incurred by a thief evokes Hashem's compassion, thereby reducing his fine. This is a remarkable lesson demonstrating the *Torah's* concern for the feelings of all people--even a common thief, who himself did not show much concern for the feelings of the person from whom he stole.

Let us take a moment to analyze this *halachah*. It seems evident that according to *halachah*, the payment for the sheep should be consistent with that of an ox. By this logic the thief should pay five times the value of the sheep. This fine is reduced only because the thief has suffered embarrassment. In other words, the thief already paid part of his debt. His humiliation is a form of payment. Did he really, however, suffer embarrassment? If he had really cared, then he would not have stolen in the first place! He obviously was not concerned with his humiliation. On the contrary, he was probably thoroughly involved in his ability to pull off another heist successfully! Why, then, do *Chazal* emphasize the thief's embarrassment?

Horav A. Henach Leibowitz, Shlita, gives a compelling lesson in human nature in response to this question. Without a doubt, the thief is suffering intense pain and humiliation. Yet, he has in him the choice to steal and carry the sheep home on his shoulders. Why? It is because he does not realize that this act is the cause of his depression and shame. He knows that something is wrong. He realizes that something is bothering him. He does not know what it is. In fact, he thinks that stealing the sheep and taking it home, even if it means carrying it on his shoulders, will make him feel better. What he does not realize is that this act of *geneivah*, theft, will only magnify his problems, catalyzing even greater shame and depression. Consequently, his sin, which is the product of his depression, is in itself the cause of his continued despondency. If we think about it, we will realize that we invariably sin as a means of gratifying ourselves, as a vehicle for making ourselves happier. What we do not comprehend is that we are only increasing the inner pain that we feel.

Horav Leibowitz derives a number of lessons from the *Torah's* compassion for the feelings of the thief. First, we see that by nature man is very sensitive and embarrasses easily. It does not take much to humiliate a person. Second, we note that one can act disgracefully and not even be aware of it. One humiliates himself and is so obtuse that, at times, he may sin or act inappropriately motivated by the idea that this act of rebellion will bring him gratification and joy. In effect, however, he is dragging himself deeper into depression. If we think about it, the one who has alienated himself from *Torah* Judaism and who seems to be "living it up" really is not.

Regrettably, the one who he deceives the most is himself.