

“You shall not see the ox of your brother or his sheep or goat cast off, and hide yourself from them; you shall surely return them to your brother. If your brother is not near you and you do not know him, then gather it inside your house, and it shall remain with you until your brother inquires after it, and you return it to him. So shall you do for his donkey, so shall you do for his garment, and so shall you do for any lost article of your brother that may become lost from him and you find it; you shall not hide yourself”. (Deuteronomy 22:1-3)

While the concern for lost property and its return to its rightful owner has been established in other chapters what is unusually interesting here are the last three words “lo toochal l’hitaleim”. Art scroll translates these three words as “you shall not hide yourself”. The Plaut and Tigay editions translate these three words more accurately as “you must not remain indifferent”. In reality, the difficulty in translating this clause is not with the word l’hitaleim” but with the word ‘toochal”.

Toochal can mean one of two things: It can mean “forbidden” as in Shoftim, Chapter 17 verse 15, where conditions are defined as to who can be anointed as a king and who cannot. A foreigner cannot be anointed king even if it is the will of the people – it is simply forbidden, as per the text. In Ki Tavo chapter 28 verse 35 the same term is employed but its meaning is different. Here there is nothing forbidden but rather medical treatment isn’t available. So, how is one to translate those three words in our text – as something forbidden, or something subject to one’s ability or inability?

Ibn Ezra recognized the problem and suggested that before translating text one has to search for all the possible interpretations and then choose the one that is most plausible based upon the contextual understanding. In most cases this is reasonable, however this is difficult with our current text because there is no discerning context as to whether it ought to be “forbidden” or perhaps subject to one’s will and ability.

There is a similar dilemma when translating the text in Exodus chapter 33 verse 20. Was Moses forbidden to look upon the “face” of God or was he simply unable to comprehend what it is that he would see? Onkelos understands it to mean that Moses wouldn’t be able to comprehend what he was visualizing while Rashi understands it as Moses being forbidden to look upon God’s immanence.

Perhaps there is no “right answer” to this dilemma, but left up to the individual’s understanding of the text and his place within the community that he lives. Added to this dilemma is the question of what “achicha” means. Will “achicha” be limited to Orthodox Jews? What about converts that weren’t converted through an accepted Orthodox program, but are very much a part of the community? And what does community mean? Is it the narrow religious community or the broader Jewish community encompassing all the movements?