

What's Mine is Mine  
Rabbi Leora Kling Perkins  
Parashat Lekh Lekha, November 19, 2020

On June 13, 2013, Richard Zelasko bought a lottery ticket. It wasn't his first time doing so — he had been buying lottery tickets for years, but this time was different. He won. His ticket was worth \$80 million. I'm not here to tell you a story about what a lottery winner did with his money. This is a more unusual story, about a court case over who that \$80 million belonged to. Richard had been separated

from his wife for quite some time, and they had already filed for divorce, but on the day he bought his winning lottery ticket, his divorce wasn't yet final, and wouldn't be for several more years.



When a couple is married, any money that one of them makes during the course of the marriage is generally split between the two of them in case of divorce. However, Richard argued that in this case, because the LUCK of choosing the winning lottery ticket was his, he should get to keep the money. His wife, on the other hand, argued that just as the couple had shared past losses, they should also share this gain, which did take place, technically, during their marriage.

This case came before a Michigan appeals court. Who thinks Richard got to keep his money?

Who thinks he had to share it? You're right! He had to share it!

Part of what makes this story fascinating is that there isn't inherently a right answer. Yes, there's a legal answer, but is there a moral answer? What's the fair thing to do in this case? The thing about personal property cases is that the way you answer this question says a lot about how you see the world. How much weight should we give to this individual's right to the ticket that he bought, as opposed to his legal status of being married, despite the fact that he and his wife are in the process of getting divorced?

In *Pirkei Avot*, a collection of sayings by the rabbis contained in the *mishnah*, the rabbis discuss different ways of thinking about personal property, which reflect different attitudes about the world. They say, אַרְבַּע מִדּוֹת בָּאָדָם There are four types of character in human beings. Two of them are pretty straightforward:

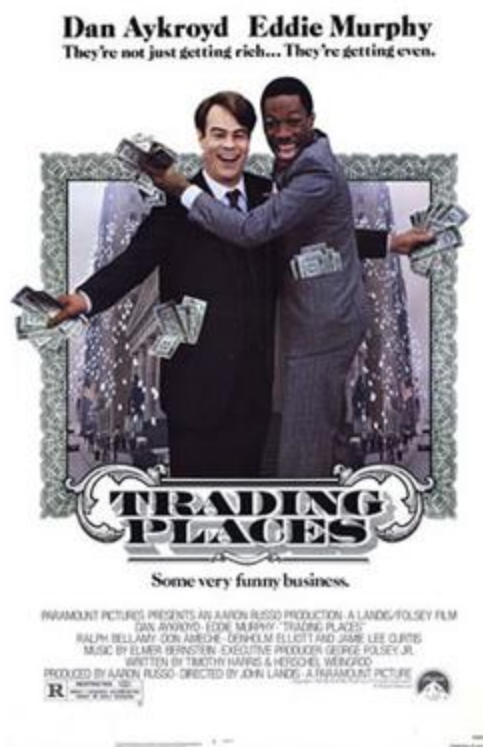
נְשִׁי לִי וְנִשְׁלָךְ וְנִשְׁלָךְ לִי וְנִשְׁלָךְ לְנִשְׁלָךְ, חָסִיד. נְשִׁי לִי וְנִשְׁלָךְ לִי וְנִשְׁלָךְ לְנִשְׁלָךְ, רָשָׁע.

[One that says:] “What’s mine is yours and what’s yours is yours” is a pious person. In other words, this person shares everything with others. [One that says:] “What’s mine is mine, and what’s yours is mine” is a wicked person. This person considers everything to belong to themselves. It’s pretty intuitive. A person who is generous, who doesn’t begrudge others their belongings, who perhaps isn’t even particularly concerned about owning much themselves, that’s a kind, generous, good person! Now I’m not sure I fully agree with this — someone who gives away so much that they can’t take care of themselves sounds fairly thoughtless to me, and I’m not sure that living in poverty is necessarily such a virtue, but that’s a conversation for another day. And a person who is stingy, jealous, who doesn’t respect personal property, that person is wicked. Fine.

The other categories of *Pirkei Avot* are a bit less intuitive.

שְׁלִי שְׁלִי וְשְׁלִי שְׁלִי, עַם הָאָרֶץ [One that says:]

“What’s mine is yours and what’s yours is mine:” is an ignoramus. This person would have us switching belongings with each other all over the place. I could see a poor person wishing that they could switch places with a rich person, but I don’t think it’s likely that someone would act on it. In fact, it seems like they might just be there to help the rabbis fill out every permutation of this type of statement, rather than a person that they actually believe to exist.



הָאוֹמֵר שְׁלִי שְׁלִי וְשְׁלִי שְׁלִי, זֶה מִדָּה בִּינוּכִית. One that says: “What’s mine is mine, and what’s yours is yours:” this is an average person.

In other words, this is a person who favors the notion of personal property. I get to keep my belongings, you get to keep your belongings, and we don’t get in each other’s way. They’re not particularly generous, but they’re not stealing either. Most people in our society probably fit mostly into this category, and in fact, our society in America is based on it. We respect each other’s property and hold onto our own, and many such people don’t



consider themselves to necessarily have an obligation to share with others, because we like to think that people have what they “deserve.” Except that there’s another line in *Pirkei Avot*. Not everyone agrees that these people are average. וַיֵּשׁ אֲמֹרִים, זוֹ מִדַּת סְדוֹם “and some say this is the attribute of the people of Sodom.” Sodom, you may remember, is the place that in next week’s *parashah*, gets destroyed by God because it is so evil. Abraham convinces God to save the city if it has 10 righteous people — but it doesn’t even have that. So *Pirkei Avot* goes from calling this person who respects personal property “average” to calling them so evil that they deserve to be exterminated. What is that all about?

Before we answer that question, let’s explore who are these people of Sodom. In this week’s *parashah*, we get some back story about that city. We see what happens to them BEFORE they are destroyed by fire and reduced to a pile of salt.

Sodom first appears when Abraham’s shepherds and his nephew Lot’s shepherds can’t get along. By the way, at this point in the story, Abraham’s name is Abram, so I’ll be calling him by both names in this piece. Abram and Lot decide that sharing land isn’t for them, and that they can get along better if they are apart. Abram gives Lot the first choice of land, and Lot chooses the land around the city of Sodom.

Later, Lot gets caught up in a battle between chieftains, including the chieftain of Sodom. Lot is captured, and Abram rescues Lot. When Abram returns Lot to his home, Abraham has an interaction with the King of Sodom. I want to look at each of these episodes more carefully, to see if we can glean any hints of what was so repulsive about the city of Sodom from these initial encounters.

In the first of these episodes, Abram and Lot had been living side by side, sharing land. Their shepherds, however, kept getting into fights. So Abram said to Lot, “Let there be no strife between you and me, between my herdsmen and yours, for we are kinsmen. Is not the whole land before you? Let us separate: if you go north, I will go south; and if you go south, I will go north.” Lot takes a look around him, and he notices that the area around Sodom is particularly beautiful and lush. He takes that best-looking land for himself, and leaves Abraham to take the rest.



This story appears to be a model for how two parties can compromise. If we can't get along, then we each separate, and get out of each other's hair. You might even describe it as: What's mine is mine, what's yours is yours. And what's the harm in that? Peace is achieved, everyone

seems satisfied with what they got. On the other hand, from our first introduction to it, Sodom is associated with greed. Whereas Abram generously gives his nephew first choice of land, Lot takes the best that he can. Lot wants the best, and the best is in Sodom. We can also note that the Torah tells us “Now the inhabitants of Sodom were very wicked sinners against the LORD.” But it doesn’t tell us how they are wicked, so we’ll have to move on, to the Battle of the Kings.

The next time Sodom comes up in our *parashah* is in the context of the battles of the kings. Four kings, really chieftains, collaborate to battle against five others, including the kings of Sodom and Gemorrah.

Now the Valley of Siddim was dotted with bitumen pits; and the kings of Sodom and Gomorrah, in their flight, threw themselves into them, while the rest escaped to the hill country. [The invaders] seized all the wealth of Sodom and Gomorrah and all their provisions, and went their way. They also took Lot, the son of Abram’s brother, and his possessions, and departed; for he had settled in Sodom.

Before we continue, let’s notice that when faced with a conquering army, the kings of Sodom and Gemorrah hide, leaving their subjects to fend for themselves. Once again— What’s mine is mine, what’s yours is yours— and this time, the thing that is “mine” and “yours” is each person’s ability to protect their safety.

Our story continues. Abram then comes in, rescues Lot, and returns him to his home. And instead of welcoming his subject Lot back with open arms, the king of Sodom seems to treat this as a negotiation with Abram.

Then the king of Sodom said to Abram, “Give me the persons, and take the possessions for yourself.” But Abram said to the king of Sodom, “I swear to the LORD, God Most High, Creator of heaven and earth: I will not take so much as a thread or a sandal strap of what is yours; you shall not say, ‘It is I who made Abram rich.’ For me, nothing but what



my servants have used up; as for the share of the men who went with me—Aner, Eshkol, and Mamre—let them take their share.”

The King of Sodom, himself seemingly always concerned with whose property belongs to whom, assumes that Abram feels the same way. He treats his subject Lot as property, and offers the spoils of his city to get him back. Notably, he does consider human life a more important commodity than property— but to him it *is* a commodity. Abram, on the other hand, sees this as a humanitarian mission, and he wants nothing in return. In fact, he seems a bit disturbed by this king, and wants to distance himself from him as much as possible.

So what’s going on here? What is the problem with the people of Sodom? Well, of course, in next week’s *parashah* we’ll learn a lot more about that. We’ll learn how they treat visitors, and how callously they treat even their own neighbors. But in this week’s *parashah*, what we know of them is much more subtle.

There are a number of really awful *midrashim* about the people of Sodom. Most of them focus on their dislike of strangers, but they also play up this idea of the people of Sodom being extremely concerned with

what money belongs to whom, and about how they can acquire more of it. Here’s one example from the *Talmud*:

“They instituted an ordinance:

One who crossed the river on a



ferry gives four dinars, and one who crossed the river in the water gives eight dinars. One time a

certain launderer came and arrived there. The people of Sodom said to him: Give four dinars as payment for the ferry. He said to them: I crossed in the water. They said to him: If so, give eight dinars, as you crossed in the water. He did not give the payment, and they struck him and wounded him. He came before the judge to seek compensation. The judge said to him: Give your assailant a fee, as he let your blood, and eight dinars, as you crossed the river in the water.”

To understand this story we need to remember that there was a time when bloodletting was a medical procedure, used to prevent or cure illness, that people would pay for.

So the people of Sodom intentionally charge more for swimming across the river than for taking the ferry, precisely because they know people will swim in an attempt to save money. When a man refuses to pay this silly fee, someone hits him as punishment. Not only does the judge require the man to pay the eight dinars, he also orders him to pay the person who hit him a fee for bloodletting.

In this *midrash*, the people of Sodom are so consumed by seeing each other for their financial possibilities that they don't relate to each other as humans. Sodom presents as a society which is supposedly very fair, instituting laws and enforcing them, but which in fact is designed to extort other people for as much as they can get. The people may assume, as the King of Sodom did, that everyone sees the world this way, and this enables them to justify their behavior to themselves and others.



“What’s mine is mine and what’s yours is yours” may indeed be a fair, justified, even intuitive way of looking at the world. It may be average, it certainly is extremely common, even standard. But at least some of the rabbis felt that this attitude, when taken to an extreme, can be quite disturbing and harmful.

What would it be like to live in a world where we all, like Abraham, see each other primarily as human beings, not for what we can get out of each other? What if we all understood our obligations to each other to go far beyond that which is legally required? What if we said, not quite, “what’s yours is yours and what’s mine is yours,” but “what’s yours is yours and some of mine is yours?” What if we lived lives governed not just by fairness, but by empathy? May we all have the strength to exercise empathy in our interactions with others, and to see beyond what is “deserved” to what makes each other’s lives better.

