

“Lo Telekh Rakhil Be’ammekha” (Lev 19:16): A New Interpretation

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The laconic commandment in the Holiness Code לא תלך רכיל בעמך (Lev 19:16) has been universally understood as a prohibition against gossip or slander. This understanding is reflected already in ancient translations, as well as in the literature of the Sages, and was almost never questioned up to the present day. In this paper I wish to challenge this consensus and suggest a different interpretation to this law.

1) The Word “Rakhil”: Overview

Obviously, the interpretation of this commandment depends on the meaning of the word רכיל, which occurs in the Bible six times, all of them, apart one, as part of the collocation הלך רכיל. Etymologically, רכיל is derived from the root *r.k.l.*, whose meaning is clear: it is related to trade. However, the different opinions regarding the meaning of the word רכיל rely mainly on the contexts of its occurrences.

According to the Jewish tradition, the collocation לך רכיליה should be understood metaphorically. Its basic meaning is “to peddle, to go about for trade” but in all its occurrences in the Bible it is used as a metaphor for gossip. The logic behind this metaphor is that just like the peddler buys things from one person and sell them to another, so the gossipmonger receive information from one person and “sell” it to another.

The non-Jewish stream of interpretation seems to base, originally, on the same view. In King James Bible this collocation is usually translated “talebearer” or “man that carries tales”. The exception is the two occurrences of this expression in Jeremiah, which are translated “walk with slanders”. It seems that the reason for that is that the context of these occurrences in Jeremiah is strong rebuke against these people, what gives the impression that the reference must be to something more serious than mere gossip.

This shift from “gossip” to “slander” expends in the Revised Standard Version, in which both the law under discussion in Leviticus and the single occurrence in Ezekiel are translated as referring to slander. This was probably done for the same reason: the context in Ezekiel – “to shed blood” – is even harsher than that in Jeremiah. As for the discussed law, the words that follow it “Do not stand on the blood of your neighbor” also suggest, albeit vaguely, that this law refer to a severe crime, which might end in bloodshed. Gossip does not seem to fall into this category. However, it should be noted that the two occurrences in Proverbs are still taken by *RSV* to mean gossip: “He who goes about gossiping reveals secrets” (Pr. 20:19). It seems than that the meaning “slander” was understood to be but a variant of, or a development from, the meaning “gossip”.

In modern biblical lexicography, the word רכיל is already taken as “slander” without depending on the meaning “gossip”. According to Gesenius, and later dictionaries in his tradition, הלך רכיל can mean either “to go about for the sake of trade” or “to go about for the sake of slandering”, when only the later meaning is documented in the Bible.

Unlike the Jewish tradition, then, modern scholarship does not take the biblical use of the collocation הלך רכיל to be metaphorical; the meaning “slander”, according to the modern common view, is the proper meaning of this expression. This change of conception seems, in fact, inevitable as we move from “gossip” to “slander”. One can easily understand why peddling would become a metaphor for gossip; it is much harder to see how it can serve as a metaphor to the act of incriminating a person by a false testimony. The implication of this view, though, is that we are left without a linkage between the two supposed meanings of the word רכיל.

This conclusion was, indeed, acknowledged by Koehler and Baumgartner, who separated the root ר.כ.ל to two homonymic roots: one related to trade and the other to slander. The word רכיל alone is derived from *rkl* II, while all other words in Hebrew related to this root are derived from *rkl* I. This solution, however, seems forced, especially considering that we have no traces to *rkl* meaning “slander” in other Semitic languages (while we do have equivalents to *rkl* meaning “trade” in Aramaic, Syriac, and perhaps also Minaean).

Another problem in the common opinion that רכיל means “slander” is that the phrase “to go about for the sake of slandering” does not make much sense. While the linkage between wandering about and gossip is easily understandable, it is hard to see why a slanderer would be defined as a person who walks around. If one plots to bring down his fellow by a false juridical accusation, he would more likely be doing it in secrecy, rather than wandering from one person to another.

2) The Word “*Rakhi*”: Discussion

In view of these difficulties, one should reconsider the possibility that the collocation הלך רכיל does not refer to slander, as commonly accepted today, but to gossip. Let us start our reexamination of this issue with the two occurrences of this expression in Jeremiah, which already King James Bible – that otherwise took רכיל to mean “gossip” – translated as “slander”. The first of these verses (Jer. 6:28) is difficult from a few aspects, and gives no real indication as to the nature of the misdeed referred by הלך רכיל, except that it is a severe one. The other verse, however, is much more suggestive in this regard: “Let every one beware of his neighbor, and put no trust in any brother. For every brother is a supplanter, and every neighbor... רכיל יהלך” (Jer. 9:4). Clearly, this verse illustrates a severe corruption, almost collapse, of social and personal relationships. But the misdeed referred by the words רכיל יהלך is mentioned as the reason, why one should not trust even his brother or neighbor. This does not go well with the assumption that the reference is to slander, that is, false testimonies or

made-up accusations. If one cannot trust his brother, that means he cannot reveal to him his secrets; he cannot tell him things about himself because of fear that they will pass over. But that is exactly the point: the fear is from spreading out, not of lies – but of truth. The theme of the verse is the violation of privacy. This is also apparent from the first half of this hemistich – if one accepts, following the Jewish tradition, that the verb עִקֵּב does not mean “to supplant” but “to creep up behind someone”. Obviously, one needs not do the last thing in order to make up false accusations.

Some may find it surprising, perhaps, that the matter of privacy would be such an issue for the prophet, that offences against it would be regarded by him as severe crimes. However, the same line of thinking – that the loss of privacy, the breaking of boundaries between people, leads to destruction of society – is found elsewhere in the Bible, especially in prophecy. So, for example, we read in Micah: “Put no trust in a neighbor, have no confidence in a friend, guard the doors of your mouth from her who lies in your bosom. For the son treats the father with contempt, the daughter rises up against her mother, the daughter-in-law against her mother-in-law; a man’s enemies are the men of his own house.” (Mic. 7:5-6). These passage portraits, in even darker colors than the discussed passage in Jeremiah, a total collapse of society. And the root of this collapse is the incapability to keep interactions between people confidential: “guard the doors of your mouth from her who lies in your bosom”. Considering the issue from this perspective, gossip starts to look a very serious matter.

Moving to the occurrences of הוֹלֵךְ רֵכִיל in Proverbs, we found ourselves with no room at all for doubt: “He who goes about as a talebearer reveals secrets, but he who is trustworthy in spirit keeps a thing hidden.” (Pr. 11:13). This verse is almost a definition of הוֹלֵךְ רֵכִיל, and he is defined “he who reveals secrets” – in a word, gossipmonger. If one would translate here הוֹלֵךְ רֵכִיל as “slanderer” the sentence will become unintelligible; normally, a person who plots how to kill an innocent person is one who firmly keep and hide secrets, not one who reveal them. It is quite surprising, than, that some new Bible translations did exactly that. This seems to indicate that in regard to this word, modern scholarship is on a wrong track.

Still left are two occurrences of the word רֵכִיל: one in Ezekiel, and the other in the law in Leviticus which is the aim of this discussion. The occurrence in Ezekiel is the only place where we find the word רֵכִיל not as part of the collocation הוֹלֵךְ רֵכִיל. As part of a list of the grave sins of Jerusalem, we read: “There were men of רֵכִיל in you, in order to shed blood” (Ez. 22:9). From this we can only learn that this is a grave sin, that somehow may lead to bloodshed. One cannot deny that in this case, it seems indeed more likely that the verse speaks about slander than about gossip – if these are taken to be the only two possibilities. However, as scholars have shown, when it comes to issues of law Ezekiel is very much related to – or influenced by – the Torah, and most of all by the Priestly source. It is very probable, than, that this verse relies on the law documented in Leviticus. This is all the more plausible because in Leviticus, too, the context speaks of bloodshed, as the verse continues “You shall not stand over the blood of your neighbor”. Therefore, the interpretation of this verse is depending on

our understanding the law in Leviticus. The problem is that in Leviticus, too, the context does not give us an indication as to the nature of the referred sin, except of the hint that it may cause the death of innocent people.

3) The Word “*Rakhi*”: Conclusions

Before trying to attack this riddle, let us summarize our conclusions to this point. The occurrences of the collocation הלך רכיל which give us a concrete idea about the nature of this activity are those in Jeremiah and in Proverbs. In both cases, the interpretation that best fits the context is that this expression refers to gossip. Considering that the basic meaning of the root *rkl* is trade, it is most likely that this meaning of רכיל was developed through a metaphor that compared gossiping to trading.

These conclusions may seem but a return to the old traditional view. But they should lead, I believe, to rethinking on a crucial point. It is universally held that in all the occurrences of רכיל in the Bible, the meaning of this word is either gossip or slander, not trade. In light of the above conclusions, that implies that the use of this word רכיל in the Bible is always metaphoric. In other words, in biblical Hebrew, this word was already a dead metaphor.

This consensus needs to be revised. True, לך רכילוה functions as a dead metaphor in Jeremiah. But there is no reason to assume that this is the case in Proverbs, where the metaphor is explicit: מגלה סוד הולך רכיל (Pr. 11:13; and in reverse order Pr. 20:19). מגלה סוד is a talebearer, gossipmonger; and the all idea of this proverb is to identify this type with הולך רכיל. If הולך רכיל means, semantically, “talebearer” than this saying is void, it is but a tautology. If, however, this collocation is used in its original meaning – “merchant, peddler” – than we have here a very alive and vivid metaphor. Indeed, if anyway we assume that the word רכיל got the meaning “gossip” through a metaphor from trade, it seems a total absurd to shut our eyes, so to speak, when we actually find this very metaphor (twice) in the text.

It seems, than, that the meaning of the collocation הולך רכיל in its two occurrences in Proverbs is “peddler”. This verse should not be translated, than, “He who goes about as a talebearer reveals secrets” (*RSV*), but “He who reveals secrets goes about as a peddler” (or better, “goes about peddling”). That is to say, the unworthy person is trading with his pieces of information, trying to benefit from betraying his friends’ secrets. The point of the wise is not to merely state the fact that there exist people who reveal other people’s secrets, but to illuminate the motivation behind such behavior.

4) The Commandment “*Lo Telekh Rakhil Be’ammekha*”

We finally turn to the commandment לא תלך רכיל בעמך. If some of the occurrences of the collocation הלך רכיל in the Bible have the meaning “to go about for the sake of trade”, than we should consider the possibility that this is also its meaning in the law under discussion. This possibility is especially plausible considering the fact that this

meaning is, most likely, the original and proper meaning of this expression, while the alternatives are the results of metaphorical use. In laws, more than in other literary genres, one should expect that words and terms will be used in their proper meaning rather than in metaphoric sense.

If this suggestion is correct, then this law is in fact a prohibition against trading. And there is no point to deny that this interpretation may seem, at first sight, very strange. How a society can live without trading? And what could be the motive to prohibit it? Indeed, only the fact that this idea seems so radical can explain why – to the best of my knowledge – this interpretation was never suggested, even though from linguistic point of view, it is almost called for.

Of course, when we refine our suggestion, and try to understand better what precisely is the practice which was prohibited, this interpretation might not seem so untenable. But before I try to do that I wish to argue that the general idea of a prohibition against trade, odd as it may seem to us, is not so unthinkable in the context of the biblical worldview. First, one should bear in mind the economic reality; both from historical and archaeological evidence we know that in Israelite society of biblical period the extent of trade was relatively limited. But more important, we find in the Bible a quite constant negative attitude towards trade.

5) The Attitude to Trade in the Bible

This negative attitude finds expression first and foremost in the close identification between trade and the Canaanites. The common word for merchant in biblical Hebrew was “Canaanite”. To some extent this fact simply reflects the reality, in which the Israelites did not tend to involve in trade, leaving it mainly in the hands of foreigners, especially the Canaanites. Of course this reality itself speaks enough about the common attitude in Israelite society to trade. But it is significant that the word “Canaanite” was used to define a merchant regardless of his actual nationality. We have not a few historical equivalents to this phenomenon, and almost always such words attract negative connotation; one may think, for example, of the word “Jew” as used for “moneylender” in different European languages. That the discussed case was no exception is clear, for example, from a saying in the book of Hosea: “Canaan, in whose hands are false balances, he loves to oppress.” (Ho. 12:8).

This verse displays some of the reasons, or at least the justifications, for the negative attitude towards trade. One important argument, which we will meet again later, is the accusation of deception, which is usually linked to the use of measures and balances. The incidence of this complaint is understandable considering that the merchant, as the professional, was usually the owner of the measures used in the transaction, and his opposite had no real control on the process. Another accusation against the trader is that of oppression. This is also a common accusation against traders, though it is hard to determine exactly what kinds of action are referred; it may imply, perhaps, to actions taken by the merchant to collect debts. But it may also reflect a very common,

almost universal, sentiment against the trader, who, allegedly, does not produce anything, but only lives on the labor of others.

In any case, a similar accusation against trade is found in the prophecy of Ezekiel against the king of Tyre: “In the abundance of your trade you were filled with violence, and you sinned.” (Ez. 28:16). And again, two verses later: “By the multitude of your iniquities, in the unrighteousness of your trade, you profaned your sanctuaries; so I brought forth fire from the midst of you, it consumed you.”

This passage is highly relevant to our discussion, since the Hebrew word that was translated above (twice) “trade” is רכולה, derived from the root *r.k.l.*, the same root that the word רכיל is derived from. And the context of this word is בעול רכלתך, “in the unrighteousness of your trade”. Here we have, then, an explicit reference to רכולה – trade – as sin, unrighteousness.

The importance of this passage to the discussion is amplified even more since it is a passage of Ezekiel. In our discussion above of the verse in Ezekiel in which the word רכיל appears, we concluded that the meaning of רכיל there is not likely to be gossip, and that the interpretation “slander” should be preferred in lack of other suggestions. In light of the above-mentioned passage, however, it seems that we need to look no further for the correct interpretation. If Ezekiel refers to two grave sins, one of which defined רכולה and the other רכיל, a very good argument is needed to claim that they are not the same sin. It seems, then, that when Ezekiel speaks of אנשי רכיל (Ez. 22:19), he refers to traders. And since, as argued above, it is likely that this verse in Ezekiel is related to the discussed law in Leviticus, this conclusion endorses our suggestion that this law speaks of trade.

6) The Exact Meaning of the Commandment

In light of the negative attitude to trade reflected in the Bible, as briefly summarized above, the conclusion that biblical law prohibits this economic activity may seem less absurd than at first sight. But in order to understand the rationale of this law we need to understand the exact nature of the banned activity. The law, after all, does not prohibit any buying or selling, but specific activity defined as הלך רכיל. Furthermore, the law restricts this prohibition by adding the word בעמיתך – “among your country men”, and in order to understand the significance of this restriction, we must better understand the prohibition.

A survey of the occurrences of the word רוכל in the Bible shows that רוכל is not any merchant, but, in most cases, a merchant that travel great distances, or that transact between different countries. In Song of Songs, for example, the bride is described as “perfumed with myrrh and frankincense, with all the fragrant powders of the merchant (רוכל)”. (So. 3:6). The myrrh and frankincense were precious perfumes brought from far-away lands. In the book of Ezekiel we hear about רוכלי שבא – the traders of Sheba – who trade, according to the text, with gold, precious stones, and

species. The typical רוכל, than, is wondering from distant land with precious items. This is no coincidence: His stock is expensive *because* he arrives from distant land. He must cover with the price he get the high expenses of the travel.

It is interesting, than, that the law does not, actually, prohibit this kind of activity, that best suit the term רכיל, “peddling”. He explicitly restricts the prohibition to the boundaries of one’s own people, בעמך. If one wishes to do what a “real” peddler does, to take his bag and travel between lands, to buy cheap here and sell dear there, this law does not prevent him from doing that.

What does this law prohibit, actually? It seems unlikely that within the boundaries of the small kingdoms of Judah and Israel there was enough room for merchants to buy cheap in one place and sell dear in another. If there were in the Israelite society professional internal traders – that is, traders who trade for profit, not to buy what they need or sell what they have too much – than, by all likelihood, their strategy was based on rate-gaps in time, not on rate-gaps in space. These were reach merchants and land-lords that buy in harvest and sell in winter, that buy in time of plenty and sell in time of hunger. These were the kind of people portrayed so vividly by Amos:

Hear this, you who trample upon the needy, and bring the poor of the land to an end, saying: When will the New Moon be over, that we may sell grain, and the Sabbath, that we may offer wheat for sale; that we may make the *ephah* small and the shekel great, and deal deceitfully with false balances; that we may buy the poor for silver and the needy for a pair of sandals, and sell the refuse of the wheat. (Amos 8:4-6).

This was, I suggest, the kind of practice prohibited by the law לא תלך רכיל בעמך. True, these merchants were not “classic” peddlers, traveling far with bag on their shoulder. The common thing between them and real peddlers was the rational of their activity – to buy cheap and to sell dear.

Still, the question presents itself: why did the author of this law phrased in a way that not entirely fits his intention? Why did he use the term רכיל, peddling, if he restricted the law to within the Israelite society, thus almost creating an oxymoron?

The answer, presumably, is that the author used this incompatibility to hint why this kind of business is morally wrong. Peddlers sell their stock at dear price because they spend much labor and expanses in long and exhausting journeys. This is reasonable. But this practice, of buying cheap and selling dear, is totally unjustified “among your people” when you seat on your stocks and do nothing, when the only reason that you sell dear is that you can take advantage on the distress of the poor.

7) Common Commercial Practices in Biblical Law

According to the suggested interpretation, this law finds its place in a series of biblical laws that prohibit normal commercial practices when exercised within the Israelite society, but permit them outside of the ethnic boundaries. This is a quite common

phenomenon in biblical law. A well-known example is the prohibition against interest. Practically, this prohibition totally eliminates business loans, leaving room only to charity-motivated lending. As such, it is no less drastic, from economic point of view, than a prohibition against trading. It is no surprise, then, that this law too is limited to Israelites: “You shall not lend upon interest to your brother [...] To a foreigner you may lend upon interest, but to your brother you shall not lend upon interest” (Deut. 23:19-20). The law does not deny that lending on interest is a legitimate economic practice, but, yet, it banishes this practice out of the boundaries of the Israelite community.

The same is true for another law, which is perhaps the most quintessential example of the unrealistic tendency of biblical commercial law: the release of debts in the seventh year. This law makes almost impossible loans in general, whether on interest or not. And in this case too the law stresses: “Of a foreigner you may exact it; but whatever of yours is with your brother your hand shall release.” (Deut. 15:3).

This emphasis is not limited to laws of loans, nor is it found only in the book of Deuteronomy. If we move to the Holiness code (to which belongs the law under discussion), we find that not only a specific law, but an entire economic institution – the institution of slavery – is being removed by the law out of the boundaries of the Israelite community. So we read in Leviticus: “And if your brother becomes poor beside you, and sells himself to you, you shall not make him serve as a slave. He shall be with you as a hired servant and as a sojourner [...] As for your male and female slaves whom you may have – you may buy male and female slaves from among the nations that are round about you.” (Lev. 25:39, 44)

The phenomenon of such explicit statements concerning the opposite law which apply to foreigners calls for explanation. It may be suggested that this is the way of the legislator to reduce the radicalism of the law. One may even see this as an attempt to offer some substitute, or a compensation, for the considerable difficulties that the law causes to whom that follow it. And though only in few cases the law states explicitly the negative rule for foreigners, the limiting of commercial law to transaction between fellow Israelites is consistent to biblical law, as most of these laws refer specifically to “your brother” or “your kinsman”. In my PhD thesis I came to the conclusion that this special feature of biblical commercial law should be understood in light of its unique character. The general motivation behind these laws is not to regulate, and even less to facilitate, the economic activity, but rather to protect the interests of the poor and the needy – even if this protection exacts a high price in terms of economic efficiency and rationality.

8) “You Shall Not Stand by”

We finally come to the second half of this verse: *לֹא תֵעָמַד עַל דַּם רֵעֶךָ*, literally, “You shall not stand over the blood of your neighbor”. This phrase is difficult; the more accepted interpretation, based on the Jewish tradition, is “You shall not stand by when

your neighbor's life is in danger". As mentioned above, this is one of the reasons why the mainstream of scholarship preferred to interpret רכיל as "slander" rather than "gossip". Since the context speaks of bloodshed, it is reasonable to assume that something more serious than gossip must be in mind here. As slander, unlike gossip, can put the accused person in mortal danger, this interpretation seems to fit better the context. So, for example, explains Milgrom, in his commentary, the connection between the two parts of the verse: "The first prohibits slander, which may put someone in danger, and the second prohibits standing by when your fellow is in danger." Therefore, he claims, v. 16b gives the rationale of v. 16a.

The problem with this interpretation, however, is that to slander about someone is something very different from "standing by". Slander is an intentional and malicious act by which one is striving to harm, perhaps kill, an innocent person. Surely the prohibition of such an act needs not to be justified, or explained, by the rule "do not stand by when your fellow is in danger" – a rule that represents a much higher level of moral standards.

Apparently because of this consideration, some scholars prefer another interpretation to the second half of the verse – "Do not arise against your fellow to kill him." When understood this way, this commandment fits well a prohibition against slander. Linguistically, however, this interpretation is difficult, because the text does not read "Do not stand over your fellow" but "Do not stand over *the blood* of your fellow". If על עמד means "raise against", then the text says, literally, "Do not arise against the blood of your fellow" which does not make much sense. It seems better to adhere to the traditional interpretation of this phrase, well illustrated by the Sages: "Whence do we know that if a person sees his fellow drowning in the river, or mauled by beasts, or attacked by robbers, that he is bound to save him? From the verse על דם רעך". (Bavli Sanhedrin 73:2).

The interpretation suggested in this paper to the law לא תלך רכיל בעמך fits perfectly to this principle. That is, it fits exactly to the words that follow this law, if one accepts their traditional interpretation. The rich merchant cannot use the stress of the poor to increase his own profit; it is his responsibility that his neighbor will not starve to death, regardless of how much money he can pay. He is not allowed, therefore, to increase the rate of his goods with the increasing demand. In a time of hunger, like two or three years of draught, even a small difference in the price of grain can easily become the difference between life and death.

The reality that people can starve to death because of lack of money is illustrated, for example, in the story about the famine in Egypt: "And when the money was all spent in the land of Egypt and in the land of Canaan, all the Egyptians came to Joseph, and said: Give us food; why should we die before your eyes? For our money is gone." (Gen. 47:15). But strong as this question may sound in rhetorical terms, from a conventional legal point of view the rich merchant or landlord cannot be forced to give his stock at a certain rate, or to give it at all. That is why we read, for example, in Proverbs: "The people curse him who holds back grain, but a blessing is on the head

of him who sells it.” (Pr. 11:26). “Him who holds back grain” is the rich merchant who sits on large stocks of grain during a time of hunger, but gives it out only to those who can pay the exaggerated price he demands. Other people, who are not lucky to have much money, may well starve to death. The situation may seem outrageous, but in the conditions of legal reality, as reflected in the book of Proverbs, the much that these miserable ones can do is to curse this avaricious land-lord, or to bless his antagonist.

This is the situation that the author of the law לא תלך רכיל בעמך strived to amend. Instead of promising blessing, as do the Sage of Proverbs, he commands. He prohibits the practice of commerce – buying and selling for profit – within the Israelite society. And immediately he gives the rational, the moral principle behind this prohibition: you shall not stand by when your neighbor’s life is in danger. Hence, you shall not take advantage of situations of need and hunger to raise the price of food and increase your own wealth, putting your neighbor, by so doing, in a mortal peril. The relations between fellow Israelites should not be based on the economic rules of demand and supply, but rather on the principles of brotherhood, compassion, and responsibility to the neighbor.