

AVODAH: The Jewish Service Corps
Torah Portion – Emor

Our Messengers are Just Like Us

וַיֵּצֵא בְּרֵאשִׁית יִשְׂרָאֵל וְהוּא בֶן־אִישׁ מִצְרַיִם בְּתוֹךְ בְּנֵי יִשְׂרָאֵל וַיֵּצֵאוּ בְּמַחֲנֶה בֶן הַיִּשְׂרָאֵלִית וְאִישׁ הַיִּשְׂרָאֵלִי יֵא וַיִּקָּב בְּרֵאשִׁית הַיִּשְׂרָאֵלִית אֶת־הַשֵּׁם וַיִּקְלַל וַיִּבְיֵאוּ אוֹתוֹ אֶל־מֹשֶׁה וְשֵׁם אִמּוֹ שְׁלֹמִית בְּתוֹכָם לְמַטֵּה־דָן יֵב וַיִּנְחָחוּ בְּמִשְׁמַר לִפְרֹשׁ לָהֶם עַל־פִּי יְהוָה: פ יג וַיִּדְבֵר יְהוָה אֶל־מֹשֶׁה לֵאמֹר: הוֹצֵא אֶת־הַמְּקַלֵּל אֶל־מַחוּץ לַמַּחֲנֶה וְסָמְכוּ כָּל־הַשְּׂמֹעִים אֶת־יָדֵיהֶם עַל־רֹאשׁוֹ וְרָגְמוּ אוֹתוֹ כָּל־הָעֵדָה:

There came out among the Israelites one whose mother was Israelite and whose father was Egyptian. And a fight broke out in that camp between that half-Israelite and a certain Israelite. The son of the Israelite woman pronounced the Name in blasphemy, and he was brought to Moses – now his mother’s name was Shelomith daughter of Dibri of the tribe of Dan – and he was placed in custody, until the decision of the Lord should be made clear to them. And the Lord spoke to Moses saying: Take the blasphemer outside the camp; and let all who were within hearing lay their hands upon his head, and let the whole community stone him... [Leviticus 24:10-14]

...Moses spoke thus to the Israelites. And they took the blasphemer outside the camp and pelted him with stones. The Israelites did as the Lord had commanded Moses.” [Leviticus 24:23]

AVODAH COMMENTARY: The above story appears somewhat unexpectedly amidst a series of laws about sacrifices. Although the blasphemer is not mentioned again in the Torah, the story nonetheless leaves many troubling questions about the identity of the man, the reaction of the community, the fact that Moses did not immediately know how the man should be dealt with, and that God commands the entire congregation to stone the man to death.

The biblical commentator Rashi picks up on an interesting tension in the language of one of the verses. Verse 24:14 commands that all of the witnesses lay their hands upon the head of the blasphemer and says that the whole community should stone him to death. Is it the whole community that kills him, or is it the witnesses?

Rashi cites a Midrash, which suggests that it was witnesses who actually killed the blasphemer, and not all members of the community. “The entire community – This refers to the witnesses, who stand in the midst of the community [to execute the transgressor]. From here we learn [the legal principle] that a person’s agent is just like him.”

In other words, the fact that each member of the community did not actually pick up a stone to kill the blasphemer does not mean that they were not in fact responsible for his death. Each community member was represented by the witnesses, who actually did the killing, and the representatives stood for each member of the community.

QUESTION: In a society that permits the death penalty, the implications of Rashi's statement are chilling. If we vote for a politician who supports the death penalty, does he or she act as our agent when a criminal is put to death? When a criminal is put to death, is it for our sake that this is done?