

Parshat Emor

The Law of the Blasphemer

By Rabbi Amnon Bazak

A. Introduction

Our *parasha* is the continuation of several chapters containing many commandments, a section that begins immediately after the sin of Nadav and Avihu in chapter 10. Suddenly, in the middle of chapter 24, the long list of commandments is interrupted for a moment, and the Torah reverts to its historical narrative with the case of the blasphemer:

(24:10) "The son of an Israelite woman, being also the son of an Egyptian man, went out among *Benei Yisrael*. And this son of the Israelite woman quarreled with an Israelite man in the camp. (11) The son of the Israelite woman blasphemed^[1] God's Name, and cursed. They brought him to Moshe (his mother's name was Shlomit, daughter of Divri, from the tribe of Dan), (12) and they put him in custody so that they could consult God."

Following this episode, we find further chapters of commandments and instructions in *Parashat Behar* and *Bechukotai*, with the Torah once again severing itself from the chronological historical reality. This phenomenon raises the question: what is the meaning of this story, and why does it appear specifically here?

Further questions arise as we examine the incident more closely. From the description in the text, it would appear that the main problem was the curse invoking God's Name, and that it was for this reason that the sinner was placed in custody. The beginning of God's instruction to Moshe seems to convey this impression:

(13) "God spoke to Moshe, saying: (14) Remove the blasphemer from the camp, and let all those who heard place their hands upon his head, and let the entire congregation stone him. (15) And speak to Benei Yisrael, saying: Any person who curses his God will

bear his sin. (16) One who blasphemes will surely be put to death, the whole congregation shall stone him. Stranger and native born alike; when he blasphemes, he shall be put to death."

But surprisingly, following these words, there is a sudden transition to the laws of one who kills another person and one who kills an animal:

(17) "One who kills any person shall be put to death. (18) And one who kills an animal shall pay compensation: an animal for an animal. (19) And one who maims his neighbor – as he has done, so shall be done to him: (20) a fracture for a fracture, an eye for an eye, a tooth for a tooth; as he has maimed the person, so shall be done to him. (21) And one who kills an animal shall pay compensation, while one who kills a person shall be put to death. (22) There shall be one law for you – identical for the stranger as for one who is native born; for I am the Lord your God."

Only thereafter do we find the conclusion of the story:

(23) "Moshe spoke to *Benei Yisrael*, and they brought the person who had cursed outside of the camp, and they stoned him with stones. And *Benei Yisrael* did as God had commanded Moshe."

What are the laws of damages doing in the middle of the story?

B. The son of an Egyptian man

The central point that seems to be emphasized in these verses is the issue of nationality. The story of the blasphemer does not start out as a quarrel between two regular members of *Benei Yisrael*; rather, the parties are "the son of an Israelite woman, being also the son of an Egyptian man" and "an Israelite man" (verse 10). Perhaps the dispute erupted over money matters, and then the parties came to blows, and for this reason the laws of civil damages and the laws of injuries are bound together here^[2]. But then something unexpected happens: in the heat of the argument, the son of the Egyptian man becomes enraged, and he curses the Israelite man in God's name. In order to understand the severity of this situation it must be noted

that the only mention of a similar incident in all of *Tanakh* appears in the battle between David and Golyat: "The Philistine said to David: Am I then a dog, that you come at me with sticks? And the Philistine cursed David in God's name" ([I Shmuel 17:43](#))^[3]. What caused the blasphemer to act as he did?

The utterance seems to have emerged specifically because of the blasphemer's problematic parentage – the fact that he was the son of an Egyptian man. Attention should be paid to the fact that the Torah does not identify the two quarreling men by name; the only name that is mentioned is that of the woman who gave birth to a son fathered by an Egyptian man. The price for this deed is paid by her son who, it would appear, harbored a certain alienation towards the nation that had caused his father's people to suffer such terrible punishments. In a moment of fury his frustration exploded with such force that he cursed in God's name.

C. "Identical for the stranger as for one who is native born"

Apparently it was specifically the blasphemer's complicated parentage that lay behind the initial uncertainty that led *Benei Yisrael* to place him in custody. Ramban (on verse 10) discusses the national status of the man, raising several possibilities:

"The fact that we are told in *Torat Kohanim* (*parasha* 14,1) amongst *Benei Yisrael*, meaning that he converted, does not mean that he required conversion, but rather that – like any other Jew who entered the covenant of '*berit mila*' and immersion and having his blood accountable, at the time of the giving of the Torah ([Keritut 9a](#)). But they meant to say that he followed his mother and became part of Israel... not his father, to be Egyptian. And the French [Jewish commentaries] say that the reason for this conversion was because it took place prior to the giving of the Torah, such that his status should have followed

that of his father, in accordance with the teaching ([Yevamot 78b](#)), "Among the (non-Jewish) nations, the lineage follows the father." When this man was born, he was not circumcised, since he was considered an Egyptian, but when he grew up he converted of his own free will, and was circumcised.

But I do not concur: since the time that Avraham was circumcised, Israelites were distinguished, and were not considered like the other nations..."

The very existence of this discussion, in any event, proves that the status of the Egyptian's son was not clear. As a result of this complex status, then, it was not immediately obvious that he should be punished for his sin as any regular Israelite would be^[4]. For this reason, God emphasizes, in the response to Moshe, that the death penalty for blaspheming applies to any person dwelling in the Israelite camp: "One who blasphemes will surely be put to death, the whole congregation shall stone him. STRANGER AND NATIVE BORN ALIKE; when he blasphemes, he shall be put to death" – just as all the laws of inter-personal relations apply to him as well: "There shall be one law for you, IDENTICAL FOR THE STRANGER AS FOR ONE WHO IS NATIVE BORN, for I am the Lord your God."

D. The blasphemer and the gatherer

There are several similarities between the incident of the blasphemer and that of the "gatherer of wood," in [Bamidbar 15](#):

(32) "While *Benei Yisrael* were in the desert they found a man gathering wood on the Shabbat day. (33) Those who found him gathering wood brought him before Moshe and Aharon and all the congregation. (34) They placed him in custody, for it had not been declared what should be done with him. (35) Then God said to Moshe, "The man shall surely die; let the entire congregation stone him outside of the camp." (36) So the entire congregation took him outside of the camp and stoned him with stones, and he died, as God had commanded Moshe."

Each of the stories describes a different sin, but in both cases, when the sinner is brought to Moshe, he is placed in custody until the punishment to be meted out is made clear. In

both cases God tells Moshe that the sinner is deserving of the death penalty, which is to be carried out outside of the camp by means of stoning at the hands of the entire congregation. Both stories conclude with a description of the execution of the punishment by *Benei Yisrael*: "They took the blasphemer outside of the camp and stoned him with stones, and *Benei Yisrael* did as God had commanded Moshe" ([Vayikra 24](#))^[5]; "The entire congregation took him outside of the camp and stoned him with stones, and he died, as God had commanded Moshe." ([Bamidbar 15](#)).

Nevertheless, there are several differences between the two incidents. The most important and most obvious difference is that the story of the blasphemer includes a list of laws that Moshe is commanded to transmit to the nation ("You shall speak to *Benei Yisrael*, saying..."), concerning both the specific sin involved and the general framework of inter-personal laws, while the story of the gatherer of wood contains no such list, and Moshe is not instructed to teach *Benei Yisrael* anything.

This difference appears to arise from what we have noted above. The principal innovation of the story of the blasphemer is that the laws of the Torah – both those between man and God and those between man and his fellow – apply to a stranger as well; therefore there is a need to repeat the laws relevant to the incident of blasphemy and to note that they apply to the stranger as well. In the story of the wood-gatherer, on the other hand, the doubt apparently concerned the specific question of whether gathering wood was considered a "*melakha*" (forbidden activity) on Shabbat; the verdict gave a clear answer to this question.

At this point we must take note of another difference between the two stories. Concerning the blasphemer, we are told: "Take the blasphemer outside of the camp; LET ALL THOSE WHO HEARD PLACE THEIR HANDS UPON HIS HEAD, and let all the congregation stone him." When it comes to the wood-gatherer, we are told only, "The man shall surely be put to death; let all the congregation stone him with stones

outside of the camp." What is the significance of having all those who heard placing their hands upon the head of the blasphemer?

Generally, the placing of hands is a symbolic gesture, "transferring" the sin, as it were, from the one who places his hands to the one upon whose head the hands are placed. This is the case concerning sacrifices, such as the burnt sacrifice: "He shall place his hand upon the head of the burnt sacrifice, and it shall be accepted from him, to atone for him" ([Vayikra 1:4](#)). The same idea is expressed in the sacrificial service of the Kohen Gadol on Yom Kippur: "AHARON SHALL PLACE BOTH HIS HANDS UPON THE HEAD OF THE LIVE GOAT, and recite over it all the sins of *Benei Yisrael* and all their transgressions, for all their iniquities, and he shall place them upon the head of the goat, and sent it by the hand of an appointed person to the desert. AND THE GOAT SHALL BEAR ALL THEIR SINS to a barren land, and he shall let the goat go in the desert" ([Vayikra 17:21-22](#)). It seems that a similar action was required in the episode of the blasphemer, too. In contrast to the story of the wood-gatherer, in which the public was not harmed in any way by the deed, in the case of the blasphemer, the effect of hearing his utterance was in itself harmful and required atonement. Through the "placing of hands" upon the blasphemer, he "assumed" the sin of the hearers, as well, and the damage of hearing his curse was thereby atoned.

This idea fits well with the stipulations of the *Torah she-ba'al peh* concerning a blasphemer, as Rambam writes in his *Hilkhos Avoda Zara* (chapter 2, law 10):

"Anyone who hears a cursing of God must tear his garments (even for a curse by one of God's other names he must tear). This applies to one who hears it uttered by a Jew; both the person that hears and one who hears [second-hand] from the person who heard must tear... All of the witnesses and the judges, one by one, place their hands upon the head of the blasphemer and say to him, "Your blood is upon your hand, for you have brought this upon yourself." AMONG ALL THOSE WHO ARE PUT TO DEATH BY THE *BEIT-DIN* THERE IS NO OTHER INSTANCE IN WHICH HANDS ARE PLACED UPON SOMEONE'S HEAD, EXCEPT IN THE CASE OF THE BLASPHEMER, AS IT IS WRITTEN: ALL THOSE WHO HEARD SHALL PLACE THEIR HANDS..."

This brings us to the third difference. In the story of the blasphemer, *Benei Yisrael* appeal to Moshe alone: "They brought him to Moshe..."; whereas the wood-gatherer is brought before "Moshe and Aharon and all of the congregation." We may propose that bringing the blasphemer specifically to Moshe alone suggests a special reason to discuss this incident. We may note the connection between the beginning of the story – "The son of an Israelite woman, being also the son of an EGYPTIAN MAN, WENT OUT among *Benei Yisrael*, and the son of the Israelite woman and [another] Israelite man QUARRELED in the camp," and the previous occasion of two men quarreling:

(11) "And it was, during those many days, that Moshe grew up AND WENT OUT to his brethren, and he saw their suffering, and he saw AN EGYPTIAN MAN striking a Hebrew man, one of his brethren. (12) He turned this way and that and saw that there was no-one, and he struck the Egyptian, and buried him in the sand. (13) He went out on the second day and behold, two Hebrew men WERE QUARRELING. He said to the guilty party, "Why are you striking your neighbor?" (14) He answered: Who made you a prince and judge over us? Do you mean to kill me, as you killed the Egyptian? So Moshe feared and said, Indeed – the matter is known."

Many years previously, Moshe had encountered two incidents of dispute between people; by nature, he was unable to remain silent in the face of injustice – neither when it came to blows by an Egyptian, nor when it came to aggression displayed by an Israelite. In the argument described in our *parasha*, Moshe encounters the son of an Egyptian man who also adopts negative behavior in his argument with the Israelite. Perhaps, then, *Benei Yisrael* brought the man specifically before Moshe, since they were aware of his sensitivity towards this type of behavior.

E. Location of the *parasha*

We can now address the location of the story at this point in the text^[6]. Our *parasha* concludes the collection of chapters on sanctity in *Sefer Vayikra (19-23)*, dealing with the sanctity of *Benei Yisrael*, of the *kohanim*, and of various occasions. Many verses in these chapters have emphasized the

sanctity of the nation specifically in its distinction from other nations. For example, "You shall be holy to Me, for I, God, am holy, and I have distinguished you from the nations to be Mine" ([Vayikra 20:26](#)); "You shall not desecrate My holy name, and I shall be sanctified amongst *Benei Yisrael*; I am God Who sanctifies you, Who has brought you out of the land of Egypt, to be your God" (22:33-34). Interestingly, one of the clear expressions of the sanctity of *Am Yisrael* concerns guarding speech and avoiding cursing:

(20:7) "You shall sanctify yourselves and be holy, for I am the Lord your God. (8) You shall observe My statutes and fulfill them; I am God Who sanctifies you. (9) For any person who curses his father and his mother shall surely die; he has cursed his father and his mother; his blood is upon him."

A direct, practical expression of the command to *Benei Yisrael* to be holy is the prohibition of cursing one's parents, and the death penalty for this sin. The same idea applies even more strongly when it comes to God. The sanctity of *Benei Yisrael* finds expression in having been taken out of Egypt. Now, in our *parasha*, the son of an Egyptian man comes and curses in God's name.

In order to illustrate briefly the significance of Israel's inherent holiness, the Torah records the unfortunate story of one who was not included in that sanctity, and the price for his mother's damage to the sanctity of Israel. The story of the blasphemer, then, is the tragic description of the phenomenon of intermarriage and assimilation.

Translated by Kaeren Fish

^[1] Rashi understands this sin ("va-yikov") as "uttering a curse, as in, "How shall I curse... (*mahekov*)" ([Bamidbar 23:8](#)); see [Sanhedrin 56a](#). Ibn Ezra, on the other hand, raises two possibilities: "Some say that this means that he uttered God's

Name explicitly, as in "which God's mouth will express (*yikavenu*)" ([Yishayahu 62:2](#)), or "...who were indicated (*nikvu*) by their names" ([Bamidbar 1:17](#)). Others say that it is to be understood as in "how shall I curse" ([Bamidbar 23:8](#)); but the first [interpretation] is more accurate, to my view." In other words, to Ibn Ezra's view, the sin involved here is the actual utterance of God's name. From the context, however, Rashi's interpretation seems more logical; Rashbam concurs.

^[2] As Ibn Ezra writes: "Perhaps these two quarreling men struck one another, and for this reason this *parasha* [concerning injuries] is recorded here."

^[3] This parallel seems to have guided Rabbi Levi who teaches (*Midrash Tanchuma, Emor siman23*): "'The son of an Israelite woman... went out' – from where did he go out? Rabbi Levi taught: He left his world, as it is written, 'a champion man went out...' ([I Shmuel 17:4](#))" – referring, obviously, to Golyat the Philistine.

^[4] Abarbanel writes: "By their reasoning, this blasphemer was not deserving of the death penalty, since he was the son of an Egyptian."

^[5] Ramban perceives an important message in the mention of the execution of the punishment "as God had commanded Moshe": "Thereafter the text repeats once again that *Benei Yisrael* did [as commanded]. The reason for this is in order to teach us that when Moshe spoke to *Benei Yisrael*, they immediately took the blasphemer out [of the camp] and stoned him; all of *Benei Yisrael* did this with a view to observing and fulfilling as God had commanded Moshe, NOT OUT OF HATRED FOR THE SON OF THE EGYPTIAN WHO HAD QUARRELED WITH THE ISRAELITE, BUT RATHER WITH A VIEW TO REMOVING THAT WHICH WAS ROTTEN FROM AMONGST THEM." Seforno adds: "[Teaching] that they did not stone him out of hatred FOR BEING A STRANGER who quarreled with an Israelite, but rather they did it in order not to deviate from God's command."

^[6] One direction for answering the question is pursued by R. Yitzchak Karo, in "*Toldot Yitzchak*," as quoted by Nechama Leibowitz in her *Studies on Sefer Vayikra*, Jerusalem 5746, p. 378. To his view, the story of the blasphemer is recorded as a

contrast to the description of the sanctity of the *kohanim*, in chapter 21, and the sanctity of God, as expressed in the commands to kindle the oil of the *menora* and to place the showbread (beginning of chapter 24).

Visit our website: <http://vbm-torah.org>