

**Parshat Emor**  
**The Curse that Strikes a Punch**  
 Simon Wolf

At the end of Parshat Emor, after the description of the holidays, the Torah discusses the lighting of the Menorah and the placement of the Lechem HaPanim on the Shulchan. It then moves to the story of the blasphemer, where it states that an individual who was the son of an Israelite woman and an Egyptian father went out into the midst of the people and he quarreled with an Israelite man. The son of the Israelite woman suddenly curses<sup>1</sup> the name of God and is brought before Moshe. The people then place the blasphemer into a holding pen

in order to await God's instructions as to his fate. The Torah then using a chiasitic structure (A-B-C-B-A) states that Moshe receives the divine directive to put the blasphemer to death since that is the appropriate punishment for someone who curses God. It continues by relaying that anyone who gives a life blow to their fellow man shall be put to death, anyone who kills an animal will have to make remuneration to its owner and one who injures another party will be culpable for the damage caused. The Parsha then closes with the fulfillment of God's command to put the blasphemer to death. Why does the Torah deviate from the story of the blasphemer to include a series of tort laws?<sup>2</sup> And what is the significance of the chiasitic structure formed by this ancillary unit?

**ויקרא פרק כד**

(יג) וַיְדַבֵּר יְהוָה אֶל־מֹשֶׁה לֵאמֹר:  
 (יד) הוֹצֵא אֶת־הַמְקַלֵּל אֶל־מַחֹוץ לַמַּחֲנֶה וְסָמְכוּ כָל־הַשְּׂמָעִים אֶת־יְדֵיהֶם עַל־רֹאשׁוֹ וְרָגְמוּ אֹתוֹ כָּל־הָעֵדָה:  
 (טו) וְאֶל־בְּנֵי יִשְׂרָאֵל תְּדַבֵּר לֵאמֹר אִישׁ אִישׁ כִּי־יִקְלֵל אֶלְקֵיוֹ וְנָשָׂא חֲטָאוֹ:  
 (טז) וַנִּקְבַּשׁ שֵׁם־יְהוָה מוֹת יוֹמֶת רָגוּם יְרַגְמוּ־בּוֹ כָּל־הָעֵדָה  
 כְּגַר כְּאֲזַרְח בְּנִקְבוֹ־שָׁם יוֹמֶת:  
 (יז) וְאִישׁ כִּי יַכֶּה כָּל־נַפְשׁ אָדָם מוֹת יוֹמֶת:  
 (יח) וּמַכָּה נַפְשׁ־בַּהֲמָה יִשְׁלַמְנָה נַפְשׁ תַּחַת נַפְשׁ:  
 (יט) וְאִישׁ כִּי־יִתֵּן מוֹם בְּעַמִּיתוֹ כְּאֲשֶׁר עָשָׂה כֵּן יַעֲשֶׂה לוֹ:  
 (כ) שֹׁבֵר תַּחַת שֹׁבֵר עֵין תַּחַת עֵין שֵׁן תַּחַת שֵׁן  
 כְּאֲשֶׁר יִתֵּן מוֹם בְּאָדָם כֵּן יִתֵּן בּוֹ:  
 (כא) וּמַכָּה בַּהֲמָה יִשְׁלַמְנָה  
 וּמַכָּה אָדָם יוֹמֶת:  
 (כב) מִשְׁפָּט אַחַד יִהְיֶה לָכֶם כְּגַר כְּאֲזַרְח יִהְיֶה כִּי אֲנִי יְהוָה אֶלְקֵיכֶם:  
 (כג) וַיְדַבֵּר מֹשֶׁה אֶל־בְּנֵי יִשְׂרָאֵל וַיֹּצִיאוּ אֶת־הַמְקַלֵּל אֶל־מַחֹוץ לַמַּחֲנֶה וַיְרַגְמוּ אֹתוֹ אָבִן וּבְנֵי־יִשְׂרָאֵל עָשׂוּ כְּאֲשֶׁר צִוָּה יְהוָה אֶת־מֹשֶׁה:

The Ibn Ezra suggests that these laws are a derivative of the previous story since the whole incident was precipitated by quarreling (וַיִּנְצְוּ) (בַּמַּחֲנֶה).<sup>3</sup> Therefore, the Torah discusses other ramifications of altercations between parties. The Chizkuni takes it a step further with the suggestion that the story of the blasphemer began with a dispute which concluded in a death penalty. In parallel, the Torah now presents other contentious interactions that can result in a death penalty.<sup>4</sup>

While these commentaries believe that the tort laws are a derivative of the story of the blasphemer, the Sforno posits that it is just the opposite. The tort laws are coming to characterize the nature of blasphemy. He notes that with regards to other

nations the cursing of their gods is not seen as a cardinal or capital offense.<sup>5</sup> Inappropriate speech, as opposed to action, especially in a state of anger or duress, is not to be viewed as something impactful or as a grievous crime. Rather, it is a meaningless act that lacks repercussions and should just be seen as an unintentional slip of the tongue.<sup>6</sup> On the other hand, the Torah places heavy emphasis on equating speech to action, sometimes even indicating that which one says is even more powerful than that which they do. For example, Eidim Zomemim (עדים זוממים), false witnesses, who are punished with whichever punishment that were attempting to impose on the innocent party, are held accountable for what they attempt to perpetrate rather than what they actually accomplish (כֹּאשֶׁר

<sup>1</sup> יש מפרשים את לשון ויקב מלשון "מה אקב" לשון קלה והראב"ע (ויקרא כד, יא) מביא עוד הצעה שהוא נוקט כעיקר שהוא לשון לפרש כמו "אשר נקבו בשמות" (גם עיין בתרגום אונקלוס ור' יוסף אבן כספי שם) רש"י והרשב"ם משלבים את שני הפירושים: ויקב - כתרגומו ופריש, שנקב שם המיוחד וגדף, והוא שם המפורש ששמע מסיני: (רש"י שם) ויקוב - הזכיר את השם ואחר כן בירכו: (רשב"ם שם)  
<sup>2</sup>...הפסוקים הבאים קשורים לעניין זה, והם דנים במשפט האדם והרכוש; וגם הם רק השלמות להלכות, שנאמרו כבר בפרשת משפטים. פסוק יז משלים את האמור בשמות כא, יב (ע"י פי' שם). (רש"י הירש ויקרא כד, יז)  
<sup>3</sup> ויתכן שהכו אלה הנציגים זה את זה, על כן נכתבה זאת הפרשה. וכבר הזכירה, רק הוסיף כגור כאזרח יהיה: (אבן עזרא ויקרא כד, טז)

<sup>4</sup> ואיש כי יכה כל נפש אדם מתוך שפירש דין מיתה באיש יוצא לריב, הולך ומסיים דברי ריבות שמביאין לידי מיתה. (חזקוני ויקרא כד, יז)  
<sup>5</sup> ואיש כי יכה כל נפש אדם. בהיות קללת אלהים אצל קצת האומות דבר נקל מאד כאמרו והתקצף וקול במלכו ובאלהיו (ישעיהו ח, כא) וכאמרם ז"ל (סנהדרין ס א) השומע אזכרה מפי גוי אינו חייב לקרוע שאם אין אתה אומר כן נתמלא כל הבגד כולו קרעים ועם זה נראה שיהיה דבור המקלל בזה דבור בטל בהיות כל קללה מנעת במציאות הקל יתברך... (ספורנו ויקרא כד, יז)  
<sup>6</sup> נלע"ד שהיום זה מופיע בדברי חול של עמים אחרים שלא שומרים על לשון נקיה בדבור היום יום שלהם לעומת מאמרי חז"ל שמדגישים את טהרת הפה והלשון וכמו שנאמר: דאמר רבי יהושע בן לוי: לעולם אל יוציא אדם דבר מגונה מפיו...תניא דבי רבי שמעאל: לעולם יספר אדם בלשון נקיה (פסחים ג.)

In addition, the Mishna states that just as it is prohibited to overcharge or undercharge (אונאה במקח וממקח) in transactions (exploitation), so too there is a restriction against mistreatment (אונאה בדברים) through one's words.<sup>7</sup> Rabbi Shimon bar Yochai adds that verbal mistreatment is a more severe infraction than monetary exploitation because it affects the person themselves, not their possessions; it cannot be retracted, there is no restitution and because the Torah couches the restriction with the phrase "and you shall fear your God (ויראת מאלקיך)".<sup>8</sup> This emphasis on the power of speech is best captured by the translation of Onkelos to the verse, "God, the Lord, formed man from the dust of the earth; And He blew into his nostrils the breath of life, and man became a living being (וַיִּפַּח בְּאַפָיו נְשִׁמַת חַיִּים וַיְהִי הָאָדָם לְנֶפֶשׁ חַיָּה)".<sup>9</sup> He renders "and man became a living being (לְנֶפֶשׁ חַיָּה)" as he became a "speaking being (לרוח ממללא)".<sup>10</sup> Man's uniqueness in the creation and that which distinguishes him from the animals is his capacity for speech; it is the defining

aspect of man. Therefore, according to the Sforno, that is why the laws of murder are juxtaposed to the story of the blasphemer to indicate that improper speech can be on par with killing.<sup>11</sup>

The correlation between cursing (מקלל) and hitting (מכה) that is found in this Parsha actually has an analogue in Parshat Mishpatim. There too, there is a chiasmic structure that equates the two.<sup>12</sup> It is a section about capital crimes that result in a death penalty;<sup>13</sup> the sequence begins with discussing murder (מִכָּה אִישׁ וְמֵת מוֹת יוֹמֵת), continues with hitting one's parents (וּמִכָּה אָבִיו וְאִמּוֹ מוֹת יוֹמֵת), centers on kidnapping an individual (וּנְמָצָא בְיָדוֹ) and then returns to cursing one's parents (וּמִקְלָל אָבִיו וְאִמּוֹ מוֹת יוֹמֵת) and concludes with the murder of a slave (אוֹ אֶת-עַבְדּוֹ אוֹ אֶת-אִמָּתּוֹ). There too, the Torah equates hitting one's parents with cursing them akin to Parshat Emor's inclusion of hitting in the context of the story of the blasphemer.

**שמות פרק כא**

(יב) מִכָּה אִישׁ וְמֵת מוֹת יוֹמֵת:

○ (יג) וְאִשְׁרֵי לֹא צָדָה וְהֶאֱלָקִים אָנֶּה לְיָדוֹ וְשִׁמְתִי לָהּ מְקוֹם אֲשֶׁר יִגּוֹס שְׂמָהּ:

○ (יד) וְכִי-יִצַד אִישׁ עַל-רַעְיוֹ לְהַרְגוֹ בְּעֶרְמָה מֵעַם מִזְבְּחֵי תִקְחֶנּוּ לְמוֹת:

(טו) וּמִכָּה אָבִיו וְאִמּוֹ מוֹת יוֹמֵת:

○ (טז) וְגִבַּב אִישׁ וּמָכְרוֹ וּנְמָצָא בְיָדוֹ מוֹת יוֹמֵת:

○ (יז) וּמִקְלָל אָבִיו וְאִמּוֹ מוֹת יוֹמֵת:

(יח) וְכִי-יִרְיֵב אֲנָשִׁים וְהִפָּה-אִישׁ אֶת-רַעְיוֹ בְּאָבֵן אוֹ בְּאֶגְרֹף וְלֹא יָמוּת וְנִפְל לְמִשְׁכָּב:

○ (יט) אִם-יִלְקָח וְהִתְהַלֵּךְ בְּחוּץ עַל-מִשְׁעָנָתוֹ וְנָקָה הַמִּכָּה רַק שְׂבָתוֹ יִתֵּן וְרָפָא יִרְפָּא:

(כ) וְכִי-יִכֶּה אִישׁ אֶת-עַבְדּוֹ אוֹ אֶת-אִמָּתּוֹ בְּשִׁבְטוֹ וְמֵת תַּחַת יָדוֹ נָקָם יִנָּקֶם:

○ (כא) אַךְ אִם-יִזְוֶם אוֹ יוֹמִים יַעֲמֵד לֹא יִקָּם כִּי כִסְפוֹ הוּא:

In Parshat Mishpatim, the bookends of the chiasmic structure are the murder of a free person and the killing of a slave. The message being conveyed is clear; life is sacrosanct irrespective of social standing. Therefore, the killing of a slave is deemed as murder. In addition, the section centers on three actions that are considered to be similar to murder: hitting one's parents, human trafficking and cursing one's parents. Improper treatment of one's parents, whether by action or by speech, is classified as a capital crime due to the parent's standing being equated to that of God. Lastly, some actions are so grievous, for instance kidnapping, that one can figuratively be considered as if they have killed another person.

Looking at the chiasmic structure at the end of Parshat Emor, there are similar concepts being conveyed. The bookends are the laws relating to the blasphemer and the actual punishment carried out. The next brackets of the structure deal with murder whose connection to cursing was discussed above and will be developed further later on. In between those two laws is found an interesting statement, "You shall have one standard for stranger and citizen alike; for I God am your Lord (מִשְׁפָּט אֶחָד יְהִיֶה לָכֶם כַּגֵּר כַּאֲזָרַח יְהִיֶה כִּי אֲנִי יְקֻקֶּךָ)".<sup>14</sup> Similar to Parshat Mishpatim, the Torah here comes to dispel any notion of social distinction when it comes to these matters. One might have thought that the blasphemer was subject to a death penalty because he was a Ger (בן איש מצרי), but the

<sup>7</sup> משנה. כשם שאונאה במקח וממכר כך אונאה בדברים. לא יאמר לו בכמה חפץ זה והוא אינו רוצה ליקח. אם היה בעל תשובה לא יאמר לו זכור מעשיך הראשונים, אם הוא בן גרים לא יאמר לו זכור מעשה אבותיך, שנאמר וגר לא תונה ולא תלחצנו. (משנה בבא מציעא ד, יח):

<sup>8</sup> אמר רבי יוחנן משום רבי שמעון בן יוחאי: גדול אונאת דברים מאונאת ממון, שזה נאמר בו ויראת מאלקיך וזה לא נאמר בו ויראת מאלקיך. ורבי אלעזר אומר: זה בגופו וזה בממונו. רבי שמואל בר נחמני אמר: זה - ניתן להישבון, וזה - לא ניתן להישבון. (שם) וייצר יקוק אלקים את האדם עפר מן האדמה ויפח באפיו נשמת חיים ויהי האדם לנפש חיה: (בראשית ב, ז)

<sup>10</sup> וברא יי אלקים ית אדם עפרא מן ארעא ונפח באפוהי נשמתא דחיי והות באדם לרוח ממללא: (אונקלוס שם)

<sup>11</sup> תני תנא קמיה דרב נחמן בר יצחק: כל המלבין פני חבריו ברבים כאילו שופך דמים. (ב"מ נח):

<sup>12</sup> נא לראות את הפסוקים המובאים למטה

<sup>13</sup> שמות כא, יב-כא

<sup>14</sup> ויקרא כד, כב וגם כד, טז

Torah unequivocally states that a blasphemous stranger and citizen alike are subject to the same death penalty.<sup>15</sup> Similarly, with regards to murder there is no distinction between who the victim is since all of mankind are created in the image of God (בצלם אלקים). In line with this reasoning, the Meshech Hachma suggests that the laws here also include non-Jews and therefore "one who hits a human being shall die (וּמִכָּה אָדָם יוּמָת)." <sup>16</sup>

While this helps to comprehend the placement of these capital crimes together, it does not explain the featuring of damage done by one party to another's animal. It is not a capital offense and it results in the need for recompense, but not a death penalty. So why is "one who kills a beast shall make restitution for it; life for life (וּמִכָּה נֶפֶשׁ בְּהֵמָה יְשַׁלְּמָהּ נֶפֶשׁ תַּחַת) (נֶפֶשׁ) found here. It would seem that the appearance of damage to another's animal is presented here for two reasons. Firstly, it acts as a foil; damaging or killing an animal is significantly different than those same crimes perpetrated against a fellow man.<sup>17</sup> This contrast is also found in Parshat Noach where it states that man is distinct from animal because "God made man in the image of God (כִּי בְצַלְמֵ אֱלֹהִים) (עָשָׂה אֶת-הָאָדָם)." <sup>18</sup> One may take the life of an animal in order to eat it or for other constructive purposes, but that is not true with regards to human beings.<sup>19</sup> That difference is also influential in the different ways one views damage done to an animal or taking the life of an animal as opposed that of a human being. Therefore one who damages or kills an animal makes restitution to its owner, while one who kills another human being is put to death and one who damages another person is subject to the penalty of an "eye for an eye."

In the 1970s, the Ford Motor Company introduced the subcompact Ford Pinto, its response to stiff foreign competition.<sup>20</sup> One of the "innovations" of this new car model was the placement of the fuel tank between the rear axle and the rear bumper, a standard practice for American subcompacts at the time. That tank placement made the Pinto susceptible to explosive fires when the car was rear-ended even at lower speeds, a fact borne out by crash test engineers at Ford. The vulnerability was exacerbated by the lack of rear structural reinforcement, reduced rear crush space and an

aesthetic bumper. These weaknesses were the result of a need to both reduce the weight and cost of the Ford Pinto. Given Ford's need to bring a competitive car to market at record speed, the company decided to overlook the "fatal" flaw and, in addition, lobbied the government to postpone the upgrading of rear-end collision standards which the Pinto would have failed.

In the United States, one of the tests utilized by the law to determine product liability is a "cost-benefit" analysis.<sup>21</sup> In the case of a faulty product or a product that has negative impact on people or property, the court would weigh the cost of rectifying such a problem against the societal loss caused by the faulty product. If the societal cost exceeds the cost of fixing the problem then the company would be liable (or possibly found negligent) for the product's failure. It is an ex-ante (after-the-fact) test utilized to determine culpability for product defects under the strict liability model in product liability cases.

The government (NHTSA - National Highway Traffic Safety Administration) publishes estimated numbers for the cost to society from vehicular crashes, assigning monetary values to loss of life, productivity and etc. caused by motor accidents.<sup>22</sup> Given those figures, one could possibly calculate the liability of a motor-vehicle company for a product defect by weighing the cost to rectify the product flaw against the losses caused to society from the faulty product.

That is exactly what the Ford Company did.<sup>23</sup> It calculated the cost to the company of recalling and fixing the flaw versus the societal costs from the number of anticipated deaths, injuries and lawsuits that would be precipitated by this defect. The existence of such analysis within Ford raises serious moral and ethical problems with their behavior. They took an ex-ante (after-the-fact) test and applied it a priori (before the fact). The company knowingly brought a flawed product to market by assuming that a monetary value could be placed on injuries to individuals and the loss of human life. Their attitude demonstrated that human life was not sacrosanct and inviolable, but rather subject to the same economic and profit and loss

<sup>15</sup> ואיש כי יכה – באו שונית צווים אלה כאן לפי שכתב כגר כאזרח בנקבו שם יומת ללדמו שגם בשאר עונשים הגר והאזרח שוים. (האויל משה ויקרא כד, יז)

<sup>16</sup> ומכה נפש בהמה ישלמה נפש תחת נפש. נראה הא דלא כתביה קרא במשפטים, משום דכאן מיירי אפילו בשל עכו"ם. לכן אתי שפיר דלא כתוב "מכה אדם מות יומת", רק "יומת" לחודיה, דמצאנו במיתה בידי שמים, וכמו (במדבר ג, י; יח, ז) "הזר הקרב יומת", דממית עכו"ם דינו מסור לשמים ויומת בידי שמים... (משך חכמה ויקרא כד, יח)

<sup>17</sup> נפש בהמה – מוצגת כאן ככוונה מול נפש האדם, באשר על הריגת בהמה חייב רק תשלומין, ואילו על רצח נקבע עונש מיתה, בהתחשב בעולת האדם שנברא בצלם אלקים (בראשית ט"ו). (רד"ץ הופמן ויקרא כד, יט)

<sup>18</sup> כי בצלם אלקים עשה את האדם. משפט זה חוזר על המעלה היתרה של גוף האדם וחי חלודו; והרי כאן נימוק לכל קבוצות החוקים האלה: עולם החי נמסר למאכל לאדם;

נפש הבהמה לא הותרה להתקבל בגופו: אבר מן החי; וחיי הגופניים של האדם קנויים לה' ואסורים בכל פגיעה. (רש"ר הירש בראשית ט, ו)

<sup>19</sup> ומוראכם וחתכם; יהיה על כל-תחת הארץ ועל כל-עוף השמים בכל אשר תרמש האדמה ובכל-דג הים בידכם נתנו: כל-רמש אשר הוא-חי לכם יהיה לאכלה כירק עשב נתתי לכם את-כל: אך-בשר בנפש דמו לא תאכלו: ואך את-דמכם לנפשתיכם אדרש מיד כל-חיה אדרשנו ומיד האדם מיד איש אחיו אדרש את-נפש האדם: שפך דם האדם באדם דמו ישפך כי בצלם אלקים עשה את-האדם: (בראשית ט, ב-ו)

<sup>20</sup> עיין [https://en.wikipedia.org/wiki/Ford\\_Pinto](https://en.wikipedia.org/wiki/Ford_Pinto)

<sup>21</sup> עיין <https://scholarship.law.georgetown.edu/cgi/viewcontent.cgi?article=3461&context=facpub>

<sup>22</sup> עיין <https://crashstats.nhtsa.dot.gov>

<sup>23</sup> עיין <https://philosophia.uncc.edu/phi361-matteson/module-1-why-does-business-need-ethics/case-the-ford-pinto/>

models as other objects. The Ford Pinto resulted in a large number of lawsuits, including *Grimshaw v. Ford Motor Co.* In that case, the jury, appalled by Ford's duplicity, penalized the company with what was at the time the largest historical punitive damages award in a product liability and personal injury case in order to "signal to the auto industry that it would be harshly sanctioned for ignoring known defects."

"If anyone maims his fellow man, as he has done so shall it be done to him: fracture for fracture, eye for eye, tooth for tooth (שֶׁבֶר תַּחַת עֵין תַּחַת עֵין שֶׁן תַּחַת שֶׁן). The injury he inflicted on another shall be inflicted upon him."<sup>24</sup> Chazal believe that this Pasuk is not to be taken literally and that the Torah is actually demanding full remuneration for the injury inflicted upon the other person.<sup>25</sup> The appearance of the animals in this context also helps to explain what is the true meaning of "an eye for an eye..." It says with regards to the animals, "a life for a life (נֶפֶשׁ תַּחַת נֶפֶשׁ)" which clearly can't be taken literally since the verse is explicit that the individual who killed the animal must compensate the owner (וּמְנָה וְנֶפֶשׁ-בְּהֵמָה יִשְׁלַמְנָה)<sup>26</sup> and therefore "a life for a life (נֶפֶשׁ תַּחַת נֶפֶשׁ)" must mean fair remuneration. In that case, it would follow that the word "Tachat (תחת)" that is used both here and with regards to damage to a fellow man (שֶׁבֶר תַּחַת עֵין שֶׁן תַּחַת שֶׁן) has the same meaning – equitable and just restitution. Then why does the Torah phrase it in this manner? It is emphasizing the distinction between animal and man, property and human life. While compensation for damaged property or a killed animal can be dispassionate restitution, the taking of human life or the damaging of another person must be seen in the most severe light. When dealing with a person who is in the image of God, truthfully there is no redress that can compensate for the loss. The payment is a symbolic measure to help the perpetrator atone for their sin and to help the victim as best as possible to recover from the injury. But in the end, one has to view such damage as if they are responsible to the point where they should have had to forfeit "a fracture for a fracture, an eye for an eye, a tooth for a tooth (שֶׁבֶר תַּחַת עֵין שֶׁן תַּחַת שֶׁן); it should be seen as an

irreparable act and a loss that cannot be reimbursed. This both emphasizes the need to take care that no such injury should take place and the gravity by which one must view causing such an injury. This is exactly the failure of the Ford Company in the Pinto case.

The Ba'al HaTurim points out that the Gemara utilizes the euphemism "to hit (יכה)" to describe blasphemy.<sup>27</sup> Based on that, one could suggest that the connection between the story of the blasphemer and the tort laws is that they are both considered hitting. One is hitting a fellow man and one is as if they have hit God.<sup>28</sup> The Rabbeinu Bachaye sees this parallel juxtaposition as the source for the adage of Chazal, "that one who strikes the cheek of his friend is as if he has struck the cheek of God."<sup>29</sup>

We have seen many reasons for the placement of the tort laws amongst the story and laws of the blasphemer. Nevertheless, the connection can be explained more fundamentally by the common denominator between them – that "man was created in the image of God (כִּי בְצַלְמֵי אֱלֹהִים עָשָׂה אֶת-הָאָדָם)." As already noted, this explains the differentiation between the killing and damaging of an animal versus the same done to a human being. In addition, it sets the standard that there is no distinction between people; a person is a person, no matter what their social standing, origins or classification, because every human being without exception is formed in the image of God. It also explains why cursing is akin to hitting/killing because the image of God is manifest in man's ability to speak and communicate; it is that which distinguishes man from animal. For that same reason, using one's capacity to speak to curse God is the ultimate perversion of one's humanness. Therefore, the two most grievous sins that one can do as a human being is to hit/kill another human being and to hit/curse God. The lesson for us is, therefore, to do just the opposite; to use our speech and hands to enhance God and to elevate those created in the image of God.

Shabbat Shalom

<sup>24</sup> וְאִישׁ כִּי-יִתֵּן מוֹם בְּעַמִּיתוֹ כְּאִשֶּׁר עָשָׂה בֶן יַעֲשֶׂה לוֹ: שֶׁבֶר תַּחַת עֵין שֶׁבֶר עֵין תַּחַת עֵין שֶׁן תַּחַת שֶׁן כְּאִשֶּׁר יִתֵּן מוֹם בְּאָדָם בֶּן יִתֵּן בּוֹ: (ויקרא כד, יט-כ)  
<sup>25</sup> נזק, צער, שבת, רפוי ובושת ועיין בב"ק פג:פד.  
<sup>26</sup> וגם שמות כא, לד: בעל הבור; ישלם גסף; ישיב לבעליו והמת יהיה-לו:  
<sup>27</sup> בנקבו שם. וסמ"ך ליה ואיש כי יכה. רמז למה שאמרו (סנהדרין נא א) יכה יוסי את יוסי.  
 (בעל הטורים ויקרא כד, טז)

<sup>28</sup> היחס לאלקים במונחי אדם הוא דומה לשאלת הרטורי של הנביא מלאכי (ג,ח): הֲיִקְבְּעוּ אֲדָם אֱלֹהִים כִּי אַתֶּם קִבְּעִים אֹתִי וְאַמַּרְתֶּם בְּמֶה קִבְּעִנֶךָ הַמַּעֲשֶׂר וְהַתְּרוּמָה:  
<sup>29</sup> בנקבו שם יומת. סמך לו מיד: "ואיש כי יכה כל נפש אדם מות יומת", מכאן דרשו רז"ל: (סנהדרין נח ב) כל הוסטר לועו של חבירו כאלו סוטר לועו של שכניה. (רבינו בחיי כד, טז וגם בבעל הטורים שם)