

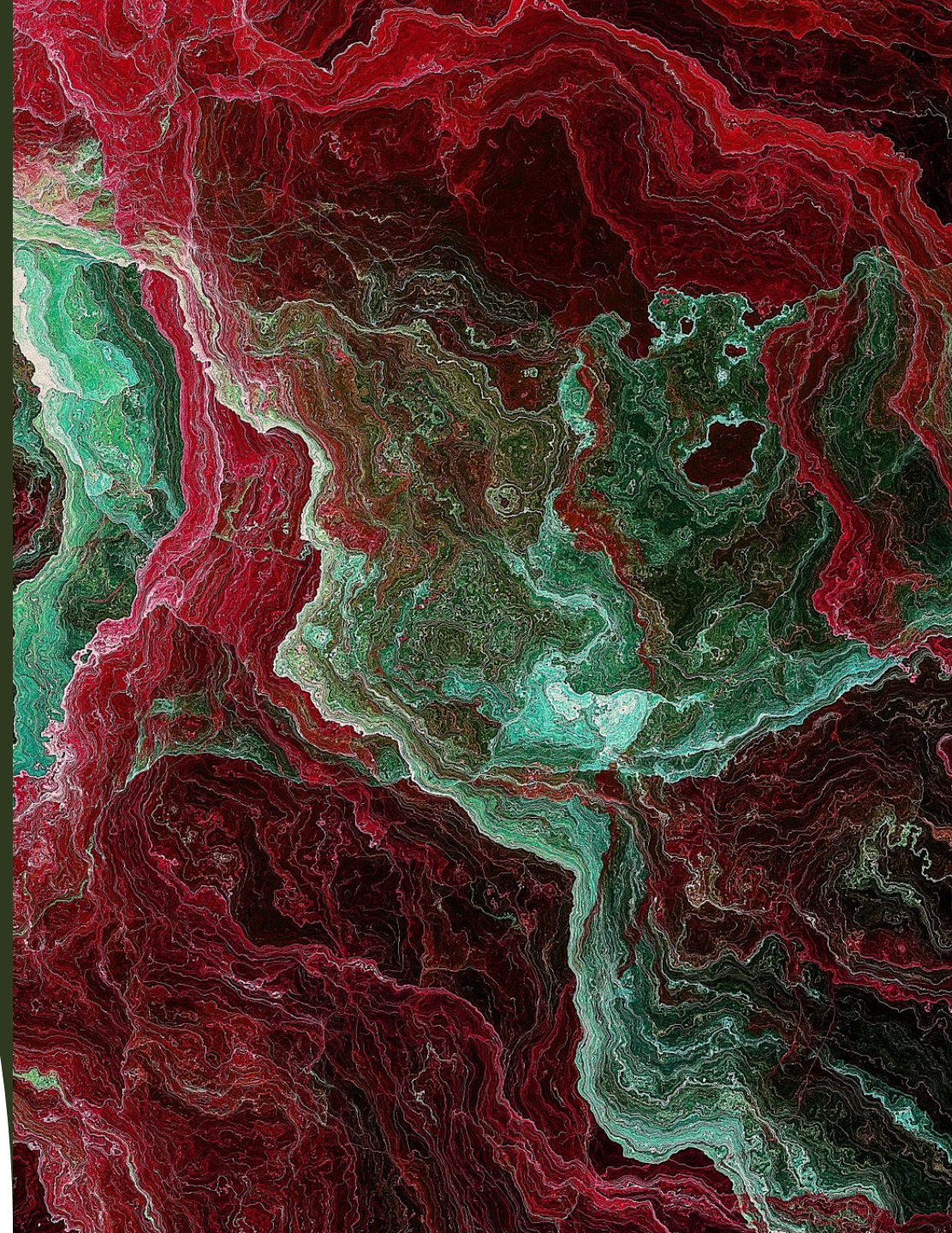
# Understanding The Megadef

Parshat Emor

Torah in Motion

Rebecca Winter,

April 29, 2021



# Sefer Vayikra

Torat Kohanim  
תורת כהנים

Kedusha

מְמַלְכֶת כֹּהֲנִים וְגוֹי קְדוֹשׁ  
A Kingdom of priests  
and a holy nation

...the commandment "You shall be holy" does not spell out any new duty. It is concerned only with the **"how" to do things**, not "what" to do. The style, the method, and the perspective are the subject matter of the precept "You shall be holy." Be careful and precise to the split second as far as your single acts are concerned. But also act in such a manner that your single actions may be integrated into a meaningful whole. For, as Nachmanides says on this verse, a human being may be an ugly voluptuary even as he complies with the law.

(Rav Joseph Soloveitchik, Festival of Freedom, page 180).

# Emor

Perek 21 & 22

Kohanim and Korbanot

Perek 23

Chagim

Perek 24: 1 - 9

Menorah and Shulchan

Perek 24: 10 - 23

Megadef

Crime

Nezikim

Punishment

- וַיֵּצֵא בֶן־אִשָּׁה יִשְׂרָאֵלִית וְהוּא בֶן־אִישׁ מִצְרַיִם בְּתוֹךְ בְּנֵי יִשְׂרָאֵל וַיִּנְצוּ בַּמַּחֲנֶה בֶן הַיִּשְׂרָאֵלִית וְאִישׁ הַיִּשְׂרָאֵלִי:

There came out among the Israelites one whose mother was Israelite and whose father was Egyptian. And a fight broke out in the camp between that half-Israelite and a certain Israelite.

- וַיִּקַּב בֶּן־הָאִשָּׁה הַיִּשְׂרָאֵלִית אֶת־הַשֵּׁם וַיִּקְלַל וַיִּבְיֵאוּ אֹתוֹ אֶל־מֹשֶׁה וְשֵׁם אִמּוֹ שְׁלֹמִית בַּת־דִּבְרִי לְמַטֵּה־דָן:

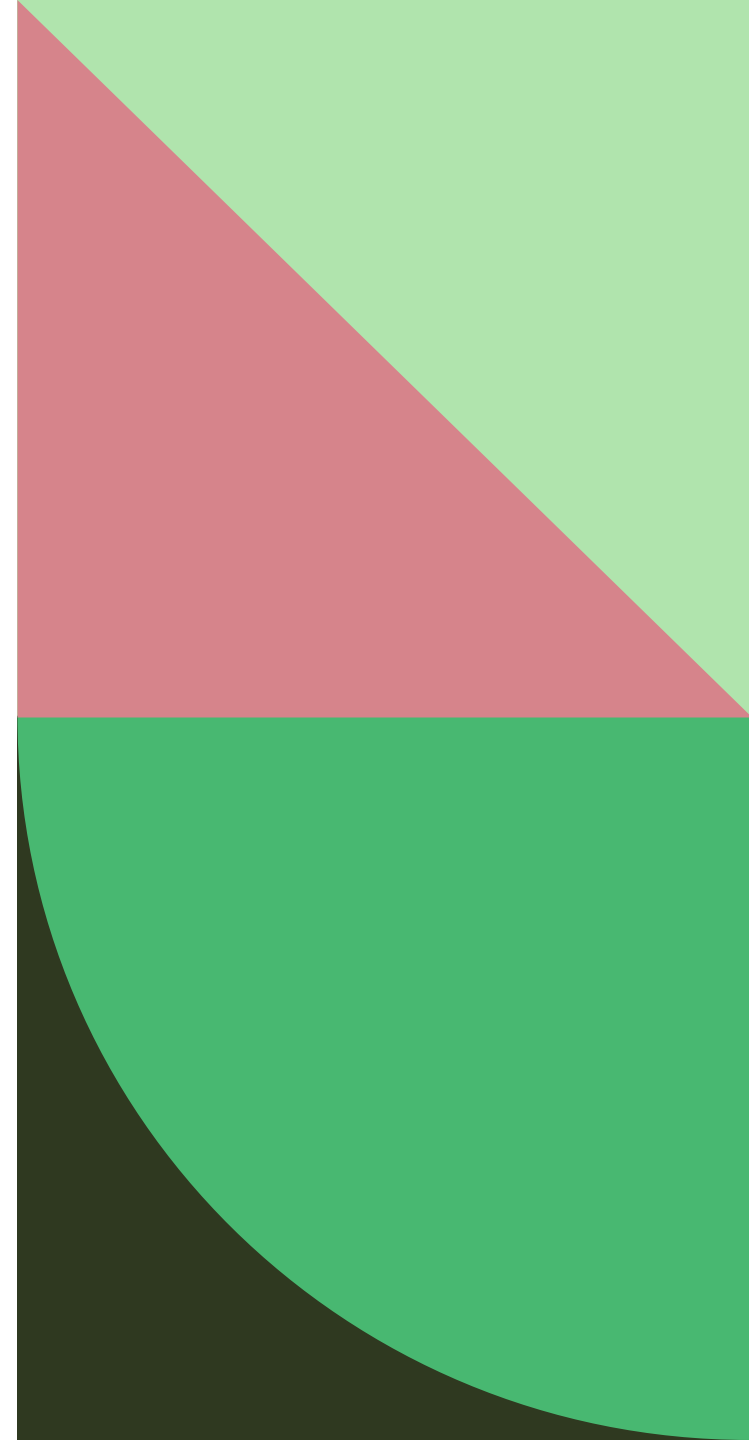
The son of the Israelite woman pronounced the Name in blasphemy, and he was brought to Moses—now his mother’s name was Shelomith daughter of Dibri of the tribe of Dan—

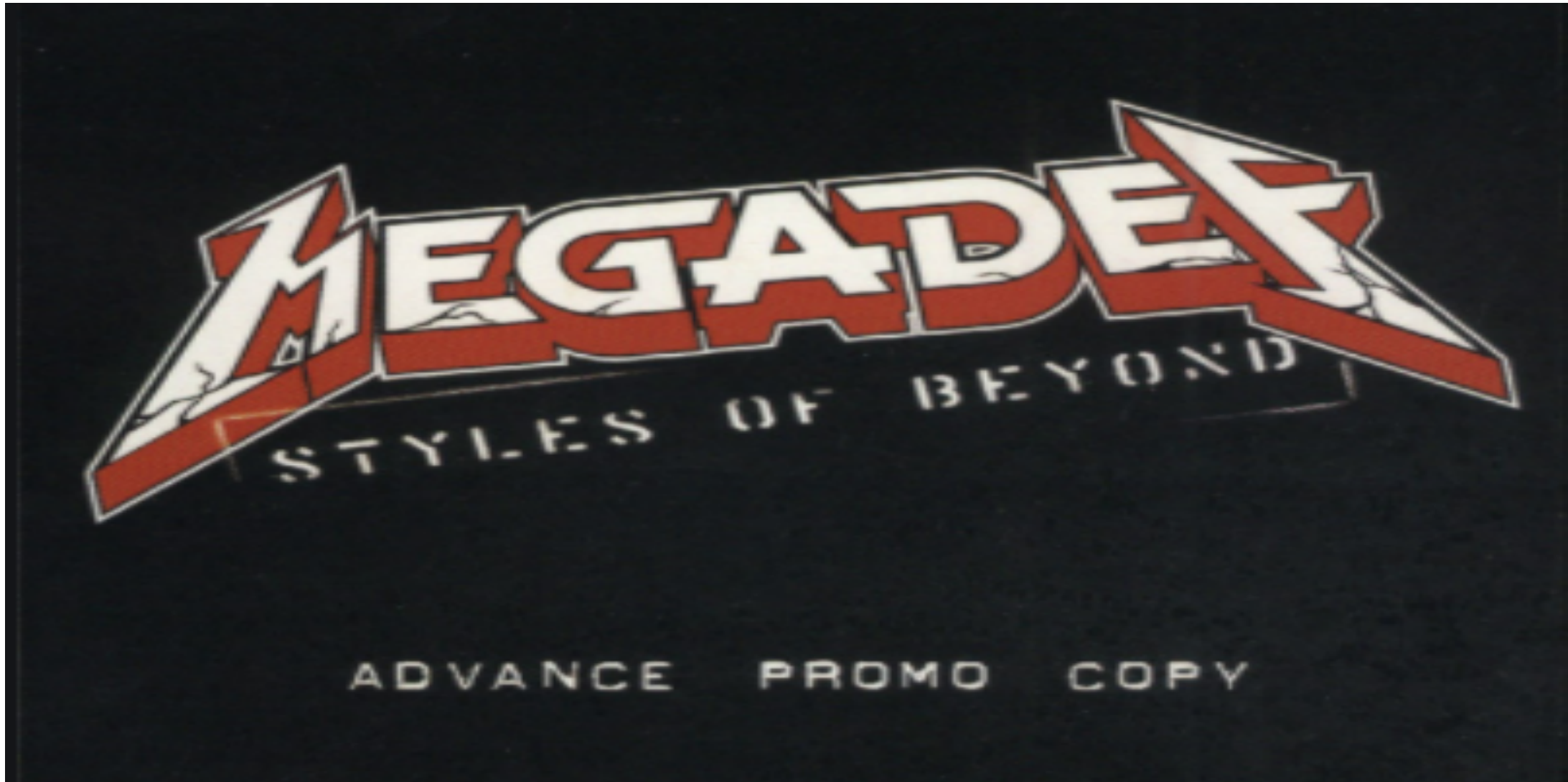
- וַיִּנְיָחֻהוּ בַּמִּשְׁמֶר לְפָרֹשׁ לָהֶם עַל־פִּי יְהוָה: (פ)

and he was placed in custody, until the decision of the LORD should be made clear to them.

(Emor 24: 10 - 12)

- How does this story relate to the Parshia before (Menorah and Shulchan)?
- Why is this narrative in Sefer Vayikra AT ALL?
- Why do we need so much detail about the lineage of the *megadef*?
- Why does Moshe not know what to do?
- Why are the laws of *nezikin* included here (again!?)?





**3 perspectives**

# Perspective 1: Rashi

ויצא בן אשה ישראלית. מהיכן יצא? רבי לוי אומר מעולמו יצא, רבי ברכיה אומר מפרשה שלמעלה יצא, לגלג ואמר "ביום השבת יערכנו" דרך המלך לאכל פת חמה בכל יום, שמא פת צוננת של תשעה ימים, בתמיה? ומתניתא אמרה מבית דינו של משה יצא, מחיב, בא לטע אהלו בתוך מחנה דן, אמרו לו מה טיבך לכאן? אמר להם מבני דן אני, אמרו לו "איש על דגלו באתת לבית אבתם" כתיב (במדבר ב'), נכנס לבית דינו של משה ויצא מחיב, עמד וגדף (ספרא, ויקרא ל"ב):

AND THE SON OF THE ISRAELITISH WOMAN WENT OUT – Whence did he go out? Surely not from the camp, since Scripture states "and they strove in the camp"! Rabbi Levi said, "He went out from (by his blasphemous utterance he lost) his eternal life (עולמו); R. Levi evidently connects ויצא with the last word of v. 8; "the everlasting covenant, ברית עולם". R. Berachya said, "He set forth (יצא) started his argument) from the above section. He said sneeringly: "Every Sabbath he shall set it in order!?! Surely it is the way of a king to eat fresh (lit., warm) bread every day; is it perhaps his way to eat bread nine days old (lit., cold bread of nine days)?! (The Hebrew word "בתמיה Say this in the intonation of a question" means nothing other than our question mark) (Midrash Tanchuma 38 23). A Baraita states that ויצא means, he came out of the judicial court of Moses where he had been pronounced to be in the wrong in the following matter: although his father was an Egyptian he had gone to pitch his tent in the camp of the tribe of Dan to whom his mother belonged (cf. v. 11). They (the men of Dan) said to him, "What have you to do here" (lit., what is your character that gives you the right to come here?). He replied. "I am one of the children of the tribe of Dan". Thereupon they said to him, "Scripture states: ([Numbers 2:2](#)) "Every man [of the children of Israel shall encamp] by his own standard, that bears the signs of their father's house"! He thereupon went in to the judicial court of Moses to have the matter decided and came forth (יצא) declared to be in the wrong. He then stood up and blasphemed (Sifra, Emor, Section 14 1; [Leviticus Rabbah 32 3](#)).

# Perspective 1: Rashi

בן איש מצרי. הוא המצרי שהרג משה (שם):

וַיְהִי אַ בְּיָמִים הֵהֵם וַיִּגְדַּל מֹשֶׁה וַיֵּצֵא אֶל-אָחִיו וַיֵּרָא בְּסִבְלָתָם וַיֵּרָא אִישׁ-מִצְרַיִם מַכֵּה אִישׁ-עִבְרִי מֵאָחָיו:  
Some time after that, when Moses had grown up, he went out to his kinsfolk and witnessed their labors. He saw an Egyptian beating a Hebrew, one of his kinsmen.

וַיִּפֹּן כֹּה וְכֹה וַיֵּרָא כִּי אֵין אִישׁ וַיִּךְ אֶת-הַמִּצְרִי וַיִּטְמְנֵהוּ בַחֹל:

He turned this way and that and, seeing no one about, he struck down the Egyptian and hid him in the sand.

וַיֵּצֵא בַיּוֹם הַשְּׁנַיִם וַהֲנִיחָה שְׁנֵי-אֲנָשִׁים עִבְרִים נֹצְחִים וַיֹּאמֶר לְרִשְׁעֵם לָמָּה תִכָּה רֵעֶךָ:

When he went out the next day, he found two Hebrews fighting; so he said to the offender, "Why do you strike your fellow?"

וַיֹּאמֶר מִי שְׂמֶךָ לְאִישׁ שָׂר וְשֹׁפֵט עָלֵינוּ הֲלֹהֲרַגְנִי אַתָּה אֹמֵר כְּאֲשֶׁר הֲרַגְתָּ אֶת-הַמִּצְרִי וַיֵּרָא מֹשֶׁה וַיֹּאמֶר  
אֲנִי נוֹדֵעַ הַדָּבָר:

He retorted, "Who made you chief and ruler over us? Do you mean to kill me as you killed the Egyptian?" Moses was frightened, and thought: Then the matter is known!

Shemot 2: 11 - 14



## מכה איש עברי

SMITING A HEBREW MAN – beating and flogging him. The latter was the husband of Shelomith, the daughter of Dibri (see [Leviticus 24:11](#)), and the Egyptian taskmaster had set his fancy upon her. During the night he compelled him (her husband) to rise and made him leave the house. He, however, returned, entered the house and forced his attentions upon the woman, she believing it was her husband. The man returned and became aware of what had happened, and when the Egyptian perceived that he was aware of it he beat him and flogged him the whole day long ([Exodus Rabbah 1:28](#)).

**מכה איש עברי.** מלקהו ורודהו. ובעלה של שלומית בת דברי היתה ונתן עיניו בה, ובלילה העמידו והוציאו מביתו, והוא חזר ונכנס לבית ובא על אשתו, כסבורה שהוא בעלה, וחזר האיש לביתו והרגיש בדבר, וכשראה אותו מצרי שרגיש בדבר, היתה מכהו ורודהו כל היום (שם):

(Rashi, Shemot 2: 11)

AND HE TURNED THIS WAY AND THAT WAY – he saw what he had done to him in the house and what he had done to him in the field (outside the house. viz., the beating to which he had subjected him) ([Exodus Rabbah 1.28](#)). But according to the literal meaning it must be explained in its ordinary sense: he turned this way and that way.

**ויפן כה וכה. רָאָה מָה עָשָׂה לוֹ בְּבַיִת וּמָה עָשָׂה לוֹ בַּשָּׂדֶה (שם). וּלְפִי פְּשׁוּטוֹ כְּמִשְׁמַעוֹ:**

AND HE SAW THAT THERE WAS NO MAN destined to issue from him, who would become an adherent of Israel's religion ([Exodus Rabbah 1:29](#); cf. [Targum Jonathan on Exodus 2:12](#)).

**וירא כי אין איש. עֵתִיד לְצֵאת מִמֶּנּוּ שְׂיִתְגַּיֵּר (ת"י):**

Rashi 2: 12

Moshe, for his part, watches all this, too. And, as he does, he surely recognizes that his earlier premonitions have been confirmed: just as he predicted, the taskmaster's son has adopted his father's wicked ways. Yet notice that, this time around, Moshe does *not* issue immediate condemnation. Indeed, Moshe seems altogether uncertain about what the *megadeif's* fate ought to be, and holds out for divine guidance before proceeding further.

....

Might the *megadeif* have attributed to himself a little more personal autonomy—a little more freedom of will—had the leader of his people not declared him doomed to his father's destiny? Could it be that the *megadeif* ended up the way he did precisely *because* Moshe foretold that he would?

....

Yet precisely by holding the *megadeif* culpable for his conduct, Hashem credits him with a level of agency that Moshe's prophecy never allowed for. Was the *megadeif's* ethical trajectory shaped by the actions of his father? Probably. Might Moshe's proclamations have colored the *megadeif's* perception of his own abilities? Possibly. Ultimately, however, the *megadeif did* act volitionally; he appreciated the significance of his actions. Thus, he is accountable for them. To deny him this basic level of responsibility—to exonerate him on the theory that his history not only *influenced* his future, but *determined* it—would undermine his very humanity.

# Personal closure to the Moshe/Ish Mitzri story

- How does this story relate to the Parshia before (Menorah and Shulchan)?
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# Perspective 2: Rav Yair Kahn

וַיֵּצֵא בֶן־אִשָּׁה יִשְׂרָאֵלִית וְהוּא בֶן־אִישׁ מִצְרַיִם בְּתוֹךְ בְּנֵי יִשְׂרָאֵל וַיִּנְצוּ בַּמַּחֲנֶה בֶן הַיִּשְׂרָאֵלִית וְאִישׁ הַיִּשְׂרָאֵלִי:

There came out among the Israelites one whose mother was Israelite and whose father was Egyptian. And a fight broke out in the camp between that half-Israelite and a certain Israelite.

Unfortunately, despite the ideal of *kedusha* and the utopian civil behavior that it demands, human beings inevitably fail. Basic human characteristics and instincts combine to create social friction, which clouds the vision of *kedusha*. What happens when this vision becomes blurred and jealousy and passions are aroused? How does civil strife express itself within the context of *kedusha*?

Is this not the story of the *megadef*, in which blasphemy resulted from social frustration and not religious heresy? The story begins with an ordinary fight between two men. Normally, disputes result in one person trying to get back at his antagonist. He might intentionally damage property; perhaps he will decide to destroy his adversary's flock. In some situations, he might inflict bodily harm, or maybe, *chalila*, take a life. In *Sefer Vayikra*, however, a different path is chosen: "And the son of the Israeli woman blasphemed the Name, and cursed" (*pasuk* 11). If the framework is one of *kedusha*, then social frustration may travel on a religious path. One may defile *kedusha* in order to inflict religious pain on his adversary. Within this context, blasphemy is an act of revenge, not an expression of heresy. Based on the above, we can explain the inner integrity of the *parasha* of the *megadef*; it is a *parasha* of civil dispute within the context of *Sefer Vayikra*, and is therefore combined with the laws of murder, bodily harm, and monetary damages.

-Rav Yair Kahn *The Megadef Episode* vbm/torah.org

Nadav and Avihu  
Limits of humanity

The Vayikra  
Narratives

Magadef  
Not reaching high enough

# Framing the limits of *kedusha* as a nation

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# Perspective 3: Rav Moshe Lichtenstein

- “...it’s purpose is to illuminate the concept of kedushat Hashem, its importance and gravity, and to highlight the dangers and difficulties involved in observing and respecting it.”

## Megadef:

וְנִקְבַּ שְׁם־יְהוָה מוֹת יוֹמֵת רָגוּם יִרְגְּמוּ־בּוֹ  
if he  
also pronounces the name LORD, he  
shall be put to death. The whole  
community shall stone him; stranger or  
citizen, if he has thus pronounced the  
Name, he shall be put to death.  
(Emor: 24: 16)



## Physical Assault:

וְאִישׁ כִּי יַךְהוּא כָּל־נֶפֶשׁ אָדָם מוֹת יוֹמֵת:  
anyone kills any human being, he shall  
be put to death.  
וּמִכֹּה נֶפֶשׁ־בְּהֵמָה יִשְׁלַמְנָהּ נֶפֶשׁ תַּחַת נֶפֶשׁ:  
One who kills a beast shall make  
restitution for it: life for life.  
(Emor 24: 17 - 18)



וַיִּצְרֵם אֱלֹהִים אֶת־הָאָדָם עֹפָר מִן־הָאֲדָמָה וַיִּפַּח בְּאַפָּיו נְשָׁמַת חַיִּים וַיְהִי הָאָדָם לְנֶפֶשׁ חַיָּה:  
the LORD God formed man from the dust of the earth. He blew into his nostrils the breath of life, and man became a living being.

(Breishit 2:7)

AND HE BREATHED INTO HIS NOSTRILS THE BREATH OF LIFE. This alludes to the superiority of the soul, its foundation and secret, since it mentions in connection with it the full Divine Name.<sup>284</sup> *And the 'Eternal G-d' formed... and He breathed into his nostrils....* And the verse says that He breathed into his nostrils the breath of life in order to inform us that the soul did not come to man from the elements, as He intimated concerning the soul of moving things, nor was it an evolvement from the Separate Intelligences.<sup>237</sup> *Intelligences without matter, generally referring to the angels and spheres. See Rambam, Hilchoth Yesodei Hatorah 3:9. Also Moreh Nebuchim, I, 49: "The angels are likewise incorporeal; they are intelligences without matter, etc." (Friedlander's translation.)* Rather, it was the spirit of the Great G-d: *out of his mouth cometh knowledge and discernment.*

וַיִּפַּח בְּאַפָּיו נְשָׁמַת חַיִּים ירמוז לנו הכתוב הזה מעלת הנפש יסודה וסודה כי הזכיר בה שם מלא ואמר כי הוא נפח בְּאַפָּיו נְשָׁמַת חַיִּים להודיע כי לא באה בו מן היסודות כאשר רמז בנֶפֶשׁ התנועה (בראשית א':כ') גם לא בהשתלשלות מן השכלים הנבדלים אבל היא רוח השם הגדול מפיו דעת ותבונה כי הנופח באפי אחר מנשמתו יתן בו וזהו שנאמר (איוב לב ח) וְנִשְׁמַת שְׂדֵי תְּבִינִים


(Ramban here)

Though it is true that physical injury is an issue concerning the relationships between human beings and a crime committed against the injured party for which compensation is due, this is not the only element involved in murder or assault, nor is this the aspect which the Torah is relating to in Sefer Vayikra. The point which the Torah is making in Emor is that assaulting a human being is an assault upon God himself.

....

The attack upon a human being is considered an act of Chilul Hakodesh  
(Rav Moshe Lichtenstein, [etzion.org.il](http://etzion.org.il)).

# Universal Kedusha

- How does this story relate to the Parshia before (Menorah and Shulchan)?
  - Why is this narrative in Sefer Vayikra AT ALL?
  - Why do we need so much detail about the lineage of the *megadef*?
  - Why does Moshe not know what to do?
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- 

**Personal:**

Moshe and the Ish  
Mitzri

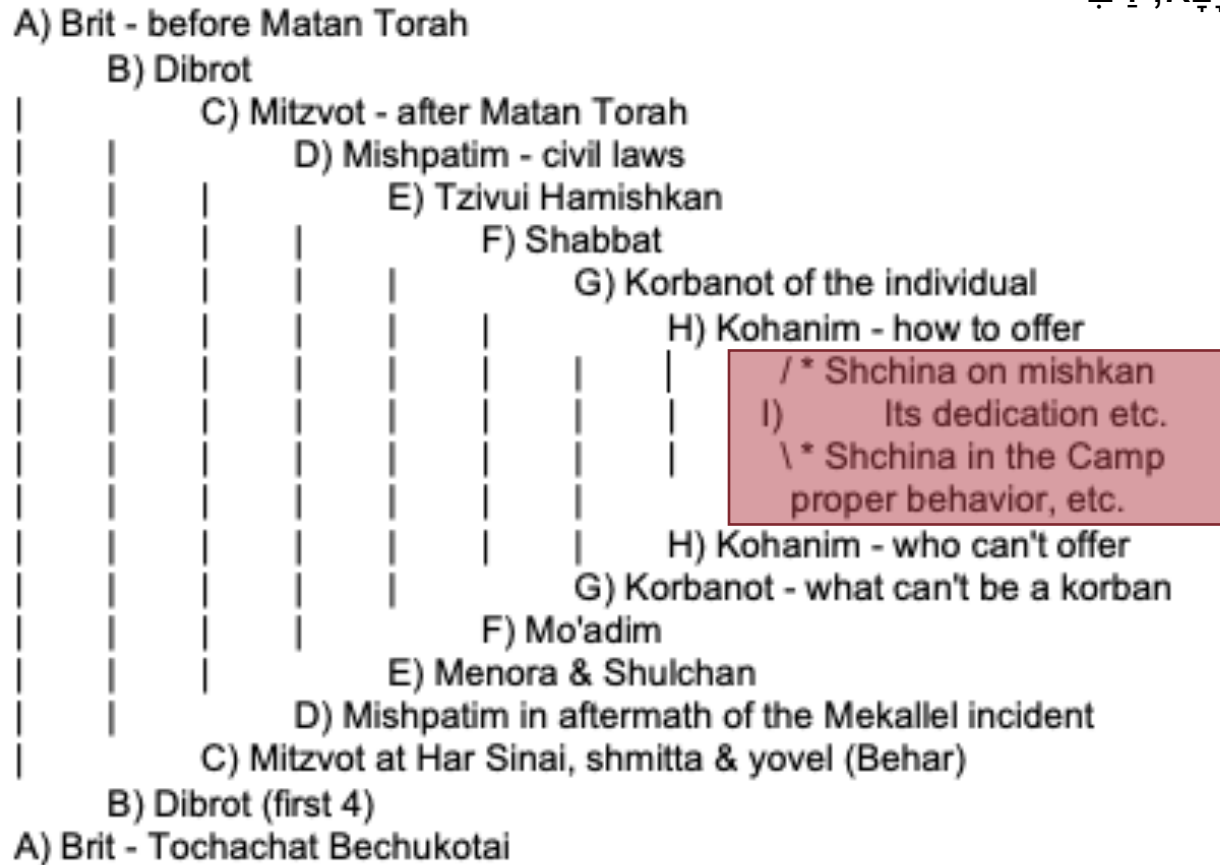
**National:**

Nadav, Avihu and the  
Megadef

**Universal:**

The megadef and personal  
injury

ויצא בן אשה ישראלית. מהיכן יצא? רבי לוי אומר מעולמו יצא, רבי  
 ברכיה אומר מפרשה שלמעלה יצא  
 (Rashi, Emor 24: 10)



THANK YOU AND SHABBAT SHALOM!