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## פרשת שמות

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פרק ב פסוק יג

וַיֵּצֵא בְּיָוֶם הַשֵּׁנִי וְהַגֵּה שְׁנֵי־אֲנָשִׁים עִבְרִים נֹצְיִים וַיֹּאמֶר לְרִשָּׁע לְמָה תִּכֶּה רֵעִי:

רש"י

לְמָה תִּכֶּה: אף על פי שְׁלֹא הִכָּהוּ נִקְרָא רִשָּׁע בְּהִרְמַת יָד.

מושג

כָּל הַמִּגְבִּיהַ יָדוֹ עַל חֲבֵרוֹ אֵף עַל פִּי שְׁלֹא הִכָּהוּ נִקְרָא רִשָּׁע. (סנהדרין נח:)

### Translation:

All who raise a hand on their fellow, even if he does not hit him, he is called a רשע.

### Explanation:

Each person is created בצלם אלקים, in the image of Hashem. This fact is the source for true human dignity. Hitting or threatening a person would not be possible if one were to fully appreciate the image of Hashem in that person. Moshe felt it important to remind the Jewish people of this fact, especially at a time when the Egyptians were trying to erase any sense of human dignity the Jews might possess<sup>1</sup>. If the Jews were to lose this sense, it would be impossible to free them, for they would remain forever enslaved by their slave mentality<sup>2</sup>. Moshe's first lesson to them is that they had not lost this צלם אלקים and therefore even threatening violence is sufficient to be termed a רשע.

### Looking in the Pasuk:

There are two seemingly contradictory words in the Pasuk which lead us to learn our Musag from this Pasuk<sup>3</sup>. First, the Pasuk tells us that they were נצים and did not say רבים. The difference between the two is that רבים may refer to two people arguing, while נצים means they had come to blows. If so, Moshe should have said למה הכית, why did you hit. The words למה תכה infer he is about to hit, but has not yet hit, which would be inconsistent with the word נצים. To this we answer that Moshe was informing the person who had hit that from the time he had raised his hand to hit he was already considered a רשע.

### Musag Learning Outcomes:

**Know:** Even threatening to hit another is forbidden and results in one being termed a רשע.

**Understand:** Hitting another is forbidden as it causes suffering and monetary loss. However, even threatening violence is also forbidden as it ignores the צלם אלקים which each person possesses. Reminding the people that despite the slavery they still retained this G-dly image was Moshe's first lesson to the Jewish people.

**Think:** Focusing on the use of unique words (נצים and not רבים), and the correct tense of verbs (הכית and תכה), reveal the important lesson taught by our Musag.

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1 See note #1

2 See note #2

3 See note #3

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## NOTES

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1. One might ask why is this lesson taught here in this fashion? Would it not have been more appropriate for the Torah to teach me this important law clearly in פרשת משפטים? Why choose this story to infer this law? This question becomes even stronger when we notice that this law is not simply a suggestion for righteous behavior, but rather it is codified as a forbidden act by both by the Rambam and by the Shulchan Aruch. And, finally, when we realize that this is the *first* law taught by Moshe to the Jewish people<sup>4</sup>, we must stop and wonder why.

Perhaps we might answer by first trying to understand why it is that raising one's hand alone is sufficient to call one a רשע, after all, we are usually only punished for evil actions and not for evil intentions. The answer is that the threat of violence is in itself a forbidden act. Thus, one who raises his hand to strike his fellow is called a רשע not only even if he did not *actually* strike him, but even if he never *intended* to strike, only to threaten. This is because threatening violence against another is a violation of their צלם אלקים in the same manner in which hitting or killing him would be<sup>5</sup>. If one were truly cognizant of the value of each human being, in that they are created in the image of G-d, they would never consider harming them in any way<sup>6</sup>.

Moshe felt it necessary for this to be the first lesson taught to the Jewish people. This was especially important due to the fact that the Egyptians had tried to completely destroy any semblance of human dignity the Jews might have had. The process of de-humanization was clear and systematic as outlined by the Ramban<sup>7</sup>. Moshe realized that there was a connection between the fact that the previous day he had seen an Egyptian beating a Jew, and the next day two Jews were beating each other. Usually, a common enemy forges unity, not confrontation! But, Moshe realized, if one Jew was striking another under these circumstances it was because the Egyptians, through their beatings and enslavement, had succeeded in erasing the dignity the Jews should possess due to their צלם אלקים. Therefore, Moshe sought to restore the dignity they had lost. His first lesson was that even a threat to harm another is forbidden and the sign of a רשע, for it denies the godliness of your fellow. According to the above we now understand a statement made by the Gemoroh in Sanhedrin immediately preceding the teaching of our Musag. The Gemoroh states: ואמר רבי חנינא: הסוטר לועו (המכה לחי) של ישראל כאילו סוטר לועו של שכינה<sup>8</sup> שנאמר (משלי כ:ה) מוקש אדם ילע קדש.

2. Commentators use this idea to explain a puzzling passage in the הגדה של פסח. At the beginning of the Haggadah we read:

ואילו לא הוציא הקב"ה את אבותינו ממצרים הרי אנו ובנינו ובני בנינו משועבדים היינו לפרעה במצרים.

What bothers the commentators is that we do not find in all of history any nation that has remained enslaved forever. Eventually, every nation will be set free. There are many answers given, one of which claims that while it is true that every nation would eventually leave slavery, they would retain a slave mentality. This is what is meant by משועבדים היינו לפרעה; עבדים, actually enslaved, but משועבים, retaining a slave mentality. This is why we mention in the ברכה towards the end of מגיד that

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4 While it is not clear if Moshe called him a רשע or if the Torah calls him a רשע, the question remains.

5 That is to say that actually causing bodily harm is not the only problem with striking another. The damage, pain, etc. that is caused is dealt with in the laws of damages. But there is an additional dimension of sin, which is the ignoring of the image of G-d present in the other. This sin is present in one who actually strikes or in one who threatens to strike.

6 This idea helps us understand the Gemoroh in (ל) בבא קמא which teaches: אמר רב יהודה: האי מאן דבעי למהוי חסידא, לקיים מילי דנויקין רבא אמר: מילי דאבות ואמרי לה: מילי דברכות חסיד. Usually we understand this to mean one who is extremely pious. Therefore, we can understand the opinions which state that it refers to one who is careful to bless Hashem or one who keeps all the laws written in Avos. But we struggle to understand the opinion of Rov Yehudah who states that it refers to one who keeps the laws of damages, which are social laws and not necessarily connected to the spiritual. However, we might answer that one who is very careful to not damage another does so out of recognition of the צלם אלקים in each person. He does so not as a social imperative but as a spiritual obligation. This, argues, Rov Yehudah, is the true definition of a חסיד.

7 And copied by the Nazis, ימ"ש, during the Holocaust.

8 The same sentiment is echoed in the Midrash which parallels the first and sixth commandment, לא אנכי ה' לרצח. The Midrash explains that killing a person is tantamount to defacing a statue of the king.

we thank Hashem על גאולתנו ועל פדות נפשנו. The physical freedom is our גאולה, while the lifting of the slave mentality and elevating of our spirit is the פדות נפשנו.

This idea explains an additional difficult episode in the Torah. When Moshe stands by the סנה and Hashem reveals to Moshe that the people are to be freed, Hashem also tells him that they will not leave empty handed. It seems strange that Hashem would tell Moshe this at this time. In fact, the Midrash relates that Moshe himself told Hashem, "Let us just leave the bondage, we can worry about wealth later!" Why was it indeed so important for Hashem to relate this to Moshe right away. Also, we find that Hashem reminds Moshe again, right before they are about to leave Mitzrayim, that the people must leave with great wealth. Why is this so terribly important? The answer is because if the people were to leave as freed slaves they would never be able to elevate themselves to the עם השם. It was, therefore, imperative that they leave as free men, feeling they had been compensated for the years of bondage.

3. Rashi's source is the Gemoroh in (נה:): מסכת סנהדרין which states:

אמר ריש לקיש: המגביה ידו על חברו, אף על פי שלא הכהו נקרא רשע, שנאמר ויאמר לרשע למה תכה רעך, למה הכית לא נאמר, אלא למה תכה, אף על פי שלא הכהו נקרא רשע.

The commentators wonder how the Gemoroh knew that the fact that he raised his hand to hit his fellow is the reason he is called a רשע? Perhaps Moshe knew him to be a רשע from beforehand, just as Moshe called his friend a רשע<sup>9</sup> even though his fellow had not raised a hand to strike! The Malbim explains the word גיציים, which Rashi explains simply as רבים, fighting, is referring to a fight which has come to blows<sup>10</sup>. If indeed the two Jews had actually hit each other then why does Moshe not scold them for hitting each other, למה הכית, which is surely more severe than just intending to hit? Why, therefore, does Moshe only criticize them for threatening to hit, למה תכה? The answer, explains the Gemoroh, is that Moshe was telling them that from the moment he raised his hand to hit he was already considered a רשע.

4. Questions for further thought:

a. Can you think of any other actions Hashem or Moshe took to ensure the people would leave without a slave mentality?

b. The Gemoroh in (לג:): קידושין teaches of another who is called a רשע:

אמר ר' אלעזר כל תלמיד חכם שאין עומד מפני רבו נקרא רשע. According to what we have learned do you see a connection between the two?

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9 As Rashi comments (based on the Midrash Rabba) on the words את רעך, that he is רשע כמותך.

10 The wording of the Pasuk in (כה:): דברים seems to support his contention:

פִּי-יַבְצֵנוּ אֲנָשִׁים נִחְדָּו אִישׁ וְאָחִיו וְקָרְבָּה אִשְׁתׁ הָאָחִיד לְהַצִּיל אֶת-אִישׁוֹ מִיַּד מַכְהוֹ