

AFTER THE DEATH SENTENCE

by Rabbi Yaakov Menken

The Torah provides us with rules and guidelines for our interpersonal relations. Sometimes, we find that just as informative as the Commandments themselves, are the contexts in which they are given.

For example, this week the Torah tells us that every person must be treated with respect, because he or she is made in the image of G-d. When we think of a person in the Torah who represents "the image of G-d" -- who would we select? What example would we use? We would say "we can all be like Avraham or Sarah, Moshe, Aharon, or Miriam, great and holy figures who exemplify the G-dliness that humans can achieve."

The Torah chooses a less lofty example. "If a man commits a sin worthy of death, and is put to death, and you hang him on a tree; you must not leave his body overnight on the tree, but rather you must certainly bury him on that day, for a curse to G-d is the one who is hanged, and you shall not defile your land that Hashem your G-d gives you for an inheritance." [Dev. 21:22-23]

Why is it a "curse to G-d?" Explains Rashi, Rabbi Shlomo Yitzchaki: "It is a denigration of the King, for man is made in His image, and Israel are His children." And who is this man "in His image" that is hanged after being put to death? "Our Rabbis said that all those who are killed by stoning are hanged..."

The punishment of stoning (although administered in a merciful way) was reserved for those who acted to interrupt the Jewish relationship with G-d. This was the most severe of the four types of capital punishment. The crimes which merited stoning were such misdeeds as cursing G-d and worshipping idols. We're not speaking of a Jewishly-uninformed collegiate who fell victim to a cult, as can (tragically) happen today, but someone who knew Judaism and the importance of its Mitzvos, understood our unique relationship with G-d, and -- after being warned not to do it, and of the potential punishment -- deliberately worshipped an idol in front of witnesses. So the one who is hanged is one who quite deliberately attempted to break the bonds between Israel and G-d -- a person at the absolute lowest echelon of evil! Nonetheless, the Torah tells us that he was made in the image of G-d, and even his dead body must be treated with respect.

It's mind-boggling. Why does the Torah choose to emphasize this concept in relation to a person like this -- one who disgraced himself, "a real lowlife," rather than someone like Avraham or Sarah?

The answer is straightforward: the Torah knows us too well. It knows human nature. We're

thoughtful, analytical... and all too often, mean-spirited. What would we have said, if we were given Moshe as the example of man in G-d's image? "Who was the Torah talking about? Moshe! Moshe, who went up on Mt. Sinai, and lived in the Higher realms for forty days. Moshe, who was G-d's messenger. But Frank, my neighbor (roommate)? That no-good thief? I don't have to respect him!"

The lesson, then, is obvious. However bad he is, our neighbor Frank hardly stoops to the level of the knowing, deliberate idolator. And even for the idolatrous rebel, the Torah still emphasizes that he was created in the image of the Divine... and it's our responsibility to remain cognizant of that fact, and to behave accordingly.

[This week's Dvar Torah was adapted from a class by Rabbi Asher Z. Rubenstein, of Jerusalem, Israel. Omissions and errata are mine.]

Good Shabbos,
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