



# Jewish Responses to Genocide



## Introduction

This text study was prepared jointly by the American Jewish World Service Education Department and students of Yeshiva University. It is designed to provide a series of entry points into conversations about the Jewish obligation to respond to the genocide in Darfur. If you have any questions about this text study, please contact Aaron Dorfman, AJWS Director of Education, at [ADorfman@ajws.org](mailto:ADorfman@ajws.org).

Over the course of this session we will read and analyze a number of Jewish sources that relate to our human and Jewish responsibility to act in the face of pain and suffering, to preserve and also to ennoble human life. Studying these sources will raise a number of important questions for us regarding both the ways in which we think about our responsibilities to the world, and the boundaries that we choose to set on those responsibilities.

This text study is divided into two sections, and depending on time, you may choose to focus on only one, or to work through both. **Section One** addresses the question, “**What is the nature of our responsibility to prevent unjustified killing?**” **Section Two** addresses the question, “**What are the boundaries/limits of our responsibility to prevent unjustified death?**”

## Background

Since February 2003, Sudanese government forces and their proxy militia known as *Janjaweed* (which in Arabic means “evil men on horseback”) have been engaged in a genocidal campaign to wipe out communities of African tribal farmers in Darfur, Sudan.

According to the findings of the United Nations Commission of Inquiry (January 25, 2005), Sudanese government officials and the *Janjaweed* are responsible for “the killing of civilians, torture, enforced disappearances, destruction of villages, rape and other forms of sexual violence, pillaging and forced displacement throughout Darfur.” This campaign of destruction and displacement is calculated to ensure the loss of livelihood and means of survival, purposely forcing hundreds of thousands of men, women and children to face starvation and disease. John Prendergast of the International Crisis Group calls it “Rwanda in slow motion.” Others call it “genocide by famine.”

The brutal violence and forced displacement directly affects more than three million people who are in dire need of humanitarian assistance. More than two million people have been displaced from their homes, 200,000 of whom have fled across the border to Chad. Many now live in hastily erected IDP (internally displaced persons) camps lacking adequate food, water, shelter, medical care and security. Conservative estimates put the number of fatalities as a result of violence, disease and malnutrition at 400,000 since the crisis began.

The Sudanese government shows no intention of disarming the *Janjaweed* or bringing them to justice. In this pervasive atmosphere of insecurity, civilians suffer recurring attacks and are unable to return to their homes. Looting and banditry threaten the delivery of aid, and the lives of millions hang in the balance.



# Jewish Responses to Genocide



## SECTION I: What is the nature of our responsibility to protect human life?

### Introduction

#### Vayikra/Leviticus 19:16

You shall not stand idly by the blood of your neighbor; I am God.

#### ויקרא פרק יט פסוק טז

לא תעמד על דם רעך אני יי:

In this section of our text study, we will analyze several Jewish sources that revolve around our responsibility to protect human life. The most fundamental source is the preceding verse from Vayikra, but the verse is rather vague.

- What does it mean to “stand idly by”? What if you are not in a position to directly save the life?
- Who is the “neighbor” the Torah is talking about? What if the blood is not being spilled in front of you?
- What if it seems like there’s nothing you can do?

In short, what does the Torah expect of us? How narrowly or broadly should we conceive of this obligation? In what ways can it inform our action on behalf of genocide in the world?

Over the course of this section, think about the following questions:

- How does each text we read expand upon or clarify our obligation to not stand idly by the blood of our neighbors?
- What can we as individuals take from each of these texts in terms of our responsibility to social action in the world?

### Text 1

#### Rambam Laws of the Murderer and Protecting Life, 1:14

Whenever a person can save another person's life but fails to do so, he transgresses a negative commandment, as [Lev.19:16] states: “Do not stand idly by the blood of your neighbor.”

Similarly, [this commandment applies] when a person sees a colleague drowning at sea or being attacked by robbers or a wild animal, and he can save him himself or can hire others to save him. Similarly, [it applies] when he hears

#### רמב"ם הלכות רוצח ושמירת הנפש פרק

#### א הלכה יד

כל היכול להציל ולא הציל עובר על +ויקרא י"ט ט"ז+ לא תעמוד על דם רעך, וכן הרואה את חבירו טובע בים או ליסטים באים עליו או חיה רעה באה עליו ויכול להצילו הוא בעצמו או שישכור אחרים להצילו ולא הציל, או ששמע גוים או מוסרים מחשבים



# Jewish Responses to Genocide



[others] conspiring to harm a colleague or planning a snare for him, and he does not inform him and notify him [of the danger].

עליו רעה או טומנין לו פח ולא גלה און  
חבירו והודיעו.

- Why does Rambam list so many examples? Do the individual examples lead to different reactions or have different connotations?
- How do each of the examples listed by Rambam shape the nature and extent of our obligation to save a life?

## Texts 2 and 2a

### Deuteronomy 22:8

When you build a new house, you shall make a parapet for your roof, because you should not allow blood to be spilled if anyone should fall from it.

### דברים פרק כב פסוק ח

כי תבנה בית חדש ועשית מעקה לגגך ולא תשים  
דמים בביתך כי יפל הנפל ממנו:

### Rambam Laws of the Murderer and Protecting Life, 11:4

Both the roof and any other object of potential danger, by which it is likely that a person could be fatally injured, such as a well or a pit in his courtyard, whether or not the well or pit contain water, he is obligated to erect a barrier which is ten handbreaths high or to make a cover so that a person will not fall in it and die. And so, too, regarding any obstacle which could cause mortal danger, one has a positive commandment to remove it, and to take particular care as it is said (Deuteronomy 4:9) "Guard yourself and guard your life." If one does not remove it but leaves those obstacles constituting potential danger, one transgresses a positive commandment and negates [a negative commandment] "You should allow blood to be spilled."

### רמב"ם הלכות רוצח ושמירת הנפש פרק יא

הלכה ד

אחד הגג ואחד כל דבר שיש בו סכנה וראוי שיכשל בו אדם וימות כגון שהיתה לו באר או בור בחצירו בין שיש בהן מים בין שאין בהן מים חייב לעשות להן חוליה גבוהה עשרה טפחים או לעשות לה כסוי כדי שלא יפול בה אדם וימות. וכן כל מכשול שיש בו סכנת נפשות מצות עשה להסירו ולהשמר ממנו ולהזהר בדבר יפה יפה שנ' +דברים ד' ט'+ השמר לך ושמור נפשך, ואם לא הסיר, והניח המכשולות המביאין לידי סכנה, ביטל מצות עשה ועבר על לא תשים דמים.

- These texts focus on anticipating and protecting against potential dangers, rather than saving a person from immediate danger. How does obligation change the nature of our responsibilities? Does the text imply any limit to this responsibility? What would a reasonable limit be? Should it be conceived narrowly (e.g. not leaving a loaded gun around the house) or broadly (e.g. advocating for an international peacekeeping force in Darfur to protect against the "mortal danger" posed by the Janjaweed)?
- Does the responsibility to anticipate and protect only apply within the walls of your house? Look closely at the text. Must we protect against danger wherever it may be found?



# Jewish Responses to Genocide



## Texts 3 and 3a

A *met mitzvah* is a murder victim found in the wilderness. The Torah delineates very specific guidelines for what to do when a *met mitzvah* is found:

### Deuteronomy 21:1-9

<sup>1</sup> If, in the land that Adonai your God is assigning you to possess, someone slain is found lying in the open, the identity of the slayer not being known, <sup>2</sup> your elders and magistrates shall go out and measure the distances from the corpse to the nearby towns. <sup>3</sup> The elders of the town nearest to the corpse shall then take a heifer which has never been worked, which has never pulled in a yoke; <sup>4</sup> and the elders of that town shall bring the heifer down to an everflowing wadi, which is not tilled or sown. There, in the wadi, they shall break the heifer's neck. <sup>5</sup> The priests, sons of Levi, shall come forward; for Adonai your God has chosen them to minister to God and to pronounce blessing in the name of Adonai, and every lawsuit and case of assault is subject to their ruling. <sup>6</sup> Then all the elders of the town nearest to the corpse shall wash their hands over the heifer whose neck was broken in the wadi. <sup>7</sup> **And they shall make this declaration: "Our hands did not shed this blood, nor did our eyes see it done."** <sup>8</sup> Absolve, Adonai, Your people Israel whom You redeemed, and do not let guilt for the blood of the innocent remain among Your people Israel." And they will be absolved of bloodguilt. <sup>9</sup> Thus you will remove from your midst guilt for the blood of the innocent, for you will be doing what is right in the sight of Adonai.

### דברים פרק כא

(א) כי ימצא חלל באדמה אשר יי אלהיך נתן לך לרשתה נפל בשדה לא נודע מי הכהו:  
 (ב) ויצאו זקניך ושפטיך ומדדו אל הערים אשר סביבת החלל: (ג) והיה העיר הקרבה אל החלל ולקחו זקני העיר ההוא עגלת בקר אשר לא עבד בה אשר לא משכה בעל: (ד) והורדו זקני העיר ההוא את העגלה אל נחל איתן אשר לא יעבד בו ולא יזרע וערפו שם את העגלה בנחל: (ה) ונגשו הכהנים בני לוי כי במ בחור יי אלהיך לשרתו ולברך בשם יי ועל פיהם יהיה כל ריב וכל נגע: (ו) וכל זקני העיר ההוא הקרבים אל החלל ירחצו את ידיהם על העגלה הערופה בנחל: (ז) וענו ואמרו ידינו לא <שפכה> שפכו את הדם הזה ועינינו לא ראו: (ח) כפר לעמך ישראל אשר פדית יי ואל תתן דם נקי בקרב עמך ישראל ונכפר להם הדם: (ט) ואתה תבער הדם הנקי מקרבך כי תעשה הישר בעיני יי:

The *mishnah* in Sotah notes this curious phrase, "Our hands did not shed this blood, nor did our eyes see it done":

### Mishnah Sotah 9:6

The elders of that town washed their hands in water at the place where the neck of the heifer was broken, and they said, "Our hands have not shed this blood neither have our eyes seen it." But could it be that the elders of a Court were shedders of blood? **But, "He came not into our hands that we should have dismissed him without sustenance, and we did not see him and leave him without escort!"** And the priests say, "Atone for your people Israel whom you redeem to God and do not allow for there to be innocent blood spilled amongst the people of Israel."

### משנה מסכת סוטה פרק ט משנה ו

זקני אותה העיר רוחצין את ידיהן במים במקום עריפה של עגלה ואומרים (דברים כ"א) ידינו לא שפכו את הדם הזה ועינינו לא ראו וכי על דעתינו עלתה שזקני בית דין שופכי דמים הן אלא שלא בא לידינו ופטרנוהו בלא מזון ולא ראינוהו והנחנוהו בלא לוייה והכהנים אומרים (שם) כפר לעמך ישראל אשר פדית ואל תתן דם נקי בקרב עמך ישראל:



# Jewish Responses to Genocide



- According to the *mishnah*, they town elders must wash their hands of the guilt of this death. Why would we think of them as responsible for a crime they did not commit? What triggered their responsibility to protect?
- The *mishnah* deals immediately with the responsibility of elders towards the happenings in their town. Does this have broader ramifications for us now? Should we be responsible for everyone we can see? Does the ubiquity of information, television, and the internet change this dynamic?

## Conclusion

Beyond the negative prohibition against harming people, Jewish tradition also articulates a positive obligation to defend people from harm caused by a third party. Each of the texts in this section speaks to this “bystander problem”: What is our responsibility to protect people against danger we have not caused? This prohibition on indifference has been stated also in many other places:

- Dante wrote, “The hottest places in Hell are reserved for those who, in times of great moral crisis, maintain their neutrality.”
- Einstein said, “The world is too dangerous a place to live not because of the people who do evil, but because of the people who sit by and let it happen.”
- Abraham Joshua Heschel: “The opposite of good is not evil, the opposite of good is indifference. In a free society, some are guilty, but all are responsible.”

Based on the sources in this section, can you articulate a general rule or set of rules governing the Jewish responsibility to protect human life?



# Jewish Responses to Genocide



## SECTION II:

Whose lives are we obligated to protect? Who is inside our universe of obligation?

### Introduction

#### Rabbi Jonathan Sacks, *The Dignity of Difference*, p.30

David Hume noted that our sense of empathy diminishes as we move outward from the members of our family to our neighbors, our society and the world. Traditionally, our sense of involvement with the fate of others has been in inverse proportion to the distance separating us and them. What has changed is that television and the Internet have effectively abolished distance. They have brought images of suffering in far-off lands into our immediate experience. Our sense of compassion for the victims of poverty, war and famine, runs ahead of our capacity to act. Our moral sense is simultaneously activated and frustrated. We feel that something should be done, but what, how, and by whom?

As Jews and human beings, how do we think about our responsibility to act in the face of pain in the world? What are the ethical, moral and religious sources of our responsibility?

In the above selection, Rabbi Sacks focuses on the way the spread of information has changed our sense of involvement with the world. As you study the next three sources, think about the following questions:

- To what extent is our responsibility to respond to violence and genocide linked to our knowledge of that violence? Do we have an attendant responsibility to educate ourselves about genocide taking place around the world?
- In terms of the way we think about our relationship and responsibility to the broader world, Hume focuses on **empathy** and **compassion**. What value or values does each of the following texts argue is at the core of our responsibility?

### Text 1

#### Rambam Laws of the Courts and the Penalties Placed Under Their Jurisdiction 12:3

For this reason, one human being was created alone in the world. This teaches us that a person who eliminates one human life from the world is considered as if he eliminated an entire world. [Conversely,] a person who saves one human life is considered as if he saved an entire world.

**רמב"ם הלכות סנהדרין פרק יב הלכה ג**  
לפיכך נברא אדם יחידי בעולם ללמד שכל המאבד נפש אחת מן העולם מעלין עליו כאילו איבד עולם מלא וכל המקיים נפש אחת בעולם מעלין עליו כאילו קיים עולם מלא.

- Note that in citing Mishnah Sanhedrin 4:5 here, Rambam replaces the original “*nefesh ahat m'yisrael*” (“one Jewish life”) with “*nefesh ahat min ha-olam*” (“one human life”). What should we make of this?



# Jewish Responses to Genocide



- Why does this text return us to a time before nations and religions to ground its argument that individual human beings have infinite value?

## Text 2

<p><b>Babylonian Talmud Shabbat 54b</b> Whoever can prevent her household from committing a sin but does not, is responsible for the sins of her household; if she can prevent her fellow citizens, she is responsible for the sins of her fellow citizens; if the whole world, she is responsible for the sins of the whole world.</p>	<p><b>תלמוד בבלי מסכת שבת דף נד עמוד ב</b> כל מי שאפשר למחות לאנשי ביתו ולא מיחה – נתפס על אנשי ביתו, באנשי עירו – נתפס על אנשי עירו, בכל העולם כולו – נתפס על כל העולם כולו.</p>
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- This text shifts focus from protecting the victim of a sin to preventing anyone from committing sin to begin with. How does this change the nature of our responsibility?
- The text leaves open what exactly “can prevent” means. What are some options? To be sure, this obligation depends on the kind of power and authority people wield. How does that affect the nature of the responsibility?

## Texts 3 and 3a

<p><b>Babylonian Talmud Gittin 61a</b> Our Rabbis taught: We sustain the non-Jewish poor with the Jewish poor, visit the non-Jewish sick with the Jewish sick, and bury the non-Jewish dead with the Jewish dead, for the sake of peace.</p>	<p><b>תלמוד בבלי מסכת גיטין דף סא עמוד א</b> ת"ר: מפרנסים עניים נכרים עם עניי ישראל, ומבקרין חולי נכרים עם חולי ישראל, וקוברין מתי נכרים עם מתי ישראל, מפני דרכי שלום.</p>
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<p><b>Rambam Laws of Kings and Their Wars 10:12</b> Our sages commanded us to visit the non-Jewish sick and to bury the non-Jewish dead along with the Jewish dead, and support the non-Jewish poor along with the Jewish poor for the sake of peace. Behold, [Psalms 145:9] states: “God is good to all and God’s mercies extend over all God’s works” and [Proverbs 3:17] states: “[The Torah’s] ways are pleasant ways and all its paths are peace.”</p>	<p><b>רמב"ם הלכות מלכים פרק י הלכה יב</b> אפילו העכו"ם צוו חכמים לבקר חוליהם, ולקבור מתייהם עם מתי ישראל, ולפרנס ענייהם בכלל עניי ישראל, מפני דרכי שלום, הרי נאמר טוב ה' לכל ורחמיו על כל מעשיו, ונאמר דרכיה דרכי נועם וכל נתיבותיה שלום.</p>
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- Why are these three examples (poverty, illness, and death) chosen to symbolize our obligations?
- Much has been made of the phrase “for the sake of peace” – does it imply that we’re only caring for non-Jews because we want them to like us, or because we fear they’ll harm us if we don’t? What are some other ways of reading this phrase?



# Jewish Responses to Genocide



- What do the verses from Psalms and Proverbs add to the way a Jew must think about her responsibility to the broader world?

## Conclusion

**Rabbi Joseph B. Soloveitchik, from A. Besdin, *Man of Faith in the Modern World: Reflections of the Rav***

The Modern Jew is entangled in the activities of the Gentile society in numerous ways – economically, politically, culturally, and on some levels, socially. We share in the universal experience. The problems of humanity, war and peace, political stability or anarchy, morality or permissiveness, famine, epidemics, and pollution transcend the boundaries of ethnic groups. A stricken environment, both physical and ideological, can wreak havoc upon all groups...It is our duty as human beings to contribute our energies and creativity to alleviate the pressing needs and anguish of mankind and to contribute to its welfare.

Rabbi Soloveitchik writes that as Modern Jews, we share in “the universal experience,” of the world, and as a result, “it is our duty to contribute to its welfare.”

- How does this relate back to the selection from Rabbi Jonathan Sacks with which we opened this section?
- How do each of the texts we studied along the way inform the duty articulated by Rabbi Soloveitchik?