

EDAH SOURCE SHEETS

THE JEWISH OBLIGATION TO PREVENT GENOCIDE IN DARFUR

A. The Moral Duty to Rescue

1. Exodus 2:11-17

11. It was in those days that Moses grew up; he went out to his brothers; he saw their burdens; he saw a man who was Egyptian striking a man who was Hebrew from among his brethren.
12. He turned this way and that; he saw there was no man; he struck the Egyptian; he buried him in the sand.
13. He went out on the second day; he saw – two men who were Hebrew, fighting! He said to the evildoer: “Why would you strike your fellow?”
14. He said: “Who placed you as man in charge and judge over us? Are you speaking so as to kill me, as you killed the Egyptian?” Moses was frightened; he said: “Surely the matter has become known.”
15. Pharaoh heard this matter; he sought to kill Moses; Moses fled from before Pharaoh; he settled in the land of Midyan; he settled near the well.
16. The priest of Midyan had seven daughters. They came; they dipped; they filled the troughs so as to water their father’s flocks.
17. The shepherds came; they expelled them; Moses arose; he championed them; he watered their flocks.

שמות פרק ב:יא-יז

ויהי בימים ההם ויגדל משה ויצא אל אחיו וירא בסבלתם וירא איש מצרי מכה איש עברי מאחיו:
ויפן כה וכה וירא כי אין איש ויך את המצרי ויטמנהו בחול:
ויצא ביום השני והנה שני אנשים עברים נצים ויאמר לרשע למה תכה רעך:
ויאמר מי שמך לאיש שר ושפט עלינו הלהרגני אתה אמר כאשר הרגת את המצרי ויירא משה ויאמר אכן נודע הדבר:
וישמע פרעה את הדבר הזה ויבקש להרג את משה ויברח משה מפני פרעה וישב בארץ מדין וישב על הבאר:
ולכהן מדין שבע בנות ותבאנה ותדלנה ותמלאנה את הרהטים להשקות צאן אביהן:
ויבאו הרעים ויגרשום ויקם משה ויושען וישק את צאנם:

Questions and Comments for Study and Thought

1. *Moses strikes the Egyptian only when he recognizes that the Hebrews are his brothers. His championing of Jethro’s daughters, by contrast, has nothing to do with kinship. Do you think his obligation was the same in both cases? Which do you think he handled better?*
Note that according to rabbinic tradition Jethro’s daughters were under threat of rape.

2. Responsa Sh’eilat Yaavetz 2:51, Rabbi Jacob Emden (18th Century Germany)

A Jew with political responsibility (*adam chashuv*) has the obligation to rescue the oppressed from the hands of the oppressor by all means available to him, whether by direct action or through political effort, regardless of whether the oppressed is Jewish. So Job praised himself by saying “I have broken the teeth of evil”, and the Torah says of Moses that “He arose and championed them”, referring to the daughters of Jethro, even though they were the daughters of an idolatrous priest . . .

שו"ת שאילת יעבץ חלק ב סימן נא ד"ה אלא הכי

משא"כ באדם חשוב שמוטל עליו להציל עשוק מיד עשוקו בכל אופן שיוכל, אם בגופו או בהשתדלותו, יהי העשוק מי שהי'. כענין שאמר איוב, ואשברה מתלעות עול, וכתוב במרע"ה ויקם ויושיען, אע"פ שבנות כומר היו

2. *Rabbi Emden, who lived at the beginning of the movement for Jewish Emancipation in Europe, drew a distinction between the Jew who is an adam chashuv and ordinary Jews. In a democracy which gives Jews full suffrage, is every Jew an adam chashuv?*

B. The Legal Duty to Rescue

3. Leviticus 19:15-16

Do not do anything crooked in court cases; Do not raise up the poor, and do not glorify the great;

With righteousness you must judge your fellow.

Do not go peddling tales among your people;

Do not stand idly by your peer's blood; I am Hashem.

ויקרא פרק יט טו-טז

לא תעשו עול במשפט לא תשא פני דל ולא תהדר פני גדול בצדק תשפט עמיתך:

לא תלך רכיל בעמיק לא תעמד על דם רעך אני יקוק:

3. *What is the difference between a fellow (amit) and a peer (reia)? Why are the obligations in these verses grouped together?*

4. Talmud Sanhedrin 73a

From where in Scripture do we learn that if he sees his friend drowning in a river, or being dragged by a wild animal, or attacked by bandits, that he is obligated to rescue him?

This is the meaning of "Do not stand idly by your peer's blood".

תלמוד בבלי מסכת סנהדרין דף עג עמוד א

מניין לרואה את חברו שהוא טובע בנהר, או חיה גוררתו, או לסטין באין עליו, שהוא חייב להצילו - תלמוד לומר לא תעמד על דם רעך

4. *How much time or money can one be required to expend for the sake of rescuing others? Is there a qualitative difference between the obligation to rescue individuals and the obligation to prevent genocide? How should this obligation apply to communities?*

C. Foundations of the Legal and Moral Duties to Rescue

5. Sefer HaChinnukh (13th Century Barcelona), Commandment # 600

Promoting Peace in the World - Yishuv HaOlam

We Jews have been commanded to rescue the pursued from the hands of any who pursue them with intent to kill, if necessary at the cost of the pursuer's life . . .

Among the roots of this commandment is that G-d, Who is Blessed, created the world and willed that it be settled, and the settlement of the world is upheld by the championing of the weak against those stronger. Furthermore, the pursued will always have eyes and heart turned toward G-d to champion him against his pursuer, as Scripture says "The L-rd will seek out the pursued", meaning that the pursued seeks the L-rd and prays to him. Therefore He Who is Blessed has commanded us to assist the pursued.

ספר החינוך מצוה תר

שנצטוינו להציל הנרדף מיד מי שירדפהו להורגו . . .

משרשי המצוה, לפי שהשם ברוך הוא ברא העולם ורצה בישובו, וישוב העולם יתקיים בתשועת החלש מיד חזק ממנו, ועוד כי הנרדף לעולם עיניו ולבו אל ה' להושיעו מיד רודפו, וכענין שכתוב [קהלת ג', ט"ו] והאלהים יבקש את נרדף, כלומר הנרדף מבקש לאלהים ומתחנן אליו, על כן ציונו ברוך הוא לעזור לו.

5. *Sefer HaChinnukh strikingly formulates the Jewish idea that we act for G-d in this world. The oppressed turn to G-d for assistance, but He responds by turning to us.*

6. Maimonides, Laws of the Sanhedrin 12:3

Every Human Being is a Unique Divine Image - Tzelem Elokim

For this reason, Adam was created as an individual unique in the world - to teach that anyone who causes a single soul to be lost from the world is regarded as if he has caused an entire world to be lost, and anyone who sustains a single soul in the world is regarded as if he has sustained an entire world. Indeed, all who come into the world are created in the form of the original Adam, and no one's face is identical with that of his fellow – for this reason each and every one can say “The world was created for my sake”.

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, הרי כל באי עולם בצורת אדם הראשון הם נבראים ואין פני כל אחד מהן דומין לפני חבירו, לפיכך כל אחד ואחד יכול לומר בשבילי נברא העולם

6. *Maimonides sees human diversity as part of the Divine purpose, and thus provides a foundation for seeing genocide as qualitatively worse than generic mass murder.*

7. Sara Schnirer (early 20th century, founder of Beis Yakov, the pioneering movement for girls' Torah education), Em B'Yisroel 2:75-78, (translation from *The Jewish Political Tradition*, vol.1)

Love of Human Beings – V'ahavta lere'acha kamocho

When we state that it is a mitzvah to love people, this means that it makes no difference who the person is, whether Jew or alien . . . Thus Abraham our father, through love and devotion, extended his hospitality to guests, dressing them and feeding them. He endangered his life for the sake of the King of Sodom and begged G-d's mercy for Sodom and Gomorrah. Moses our master, too, was quick to come to the aid of alien shepherds and defended them from attackers.

7. *Sara Schnirer argues that Abraham endangered himself out of love for the evil King of Sodom when he was conquered. Are there limits to the obligations universal love can impose?*

Note that the straightforward reading of the Biblical text is that Abraham endangered himself for the sake of his nephew Lot, not for the King of Sodom.

D. Jewish Particularity and the Universal Obligation to Rescue

8. Rabbi Ovadiah S'forno (16th Century Italy), Commentary to Exodus 2:11-17

“He saw a man who was Egyptian striking a man who was Hebrew from among his brethren” – and owing to his sense of brotherhood he aroused himself to assist (avenge).

“He said to the evildoer” – since each one of them was his brother, he did not arouse himself to avenge, but rather rebuked directly.

“Moses arose; He championed them” – since both parties to the quarrel were aliens, he did not arouse himself to avenge (assist), not did he care to straighten their ways through moral rebuke, rather he arose to rescue the oppressed from the hands of their oppressors.

ספורנו שמות ב:יא-יז

וירא איש מצרי מכה איש עברי מאחיו – ומצד האחווה התעורר לעזור
 ויאמר לרשע – מפני היות כל אחד מהם אחיו לא התעורר לעזור אבל הוכיח במישור
 ויקם משב ויושיען – בהיות שני בעלי הריב נכרים לא התעורר להנקם גם לא הקפיד לישר ארחותם בתוכחות מוסר
 רק קם להושיע את העשוקים מיד עושקיה

8-9. *S'forno contends that Moses reacted with rage to oppression against his community, with outrage to oppression within his community, and with pragmatic rationality to oppression outside his community. Do you find these differing reactions compelling or troubling? How well does S'forno's reading mesh with Dr. Zuroff's analysis of the moral implications of the Shoah?*

9. Dr. Efraim Zuroff, (Director, The Simon Wiesenthal Center, Jerusalem)

“A Plea for Jewish Action Against the Crimes Being Committed in Darfur”

We who have preached to the world for decades about its failure to save the Jews who faced Nazi genocide, cannot ignore the plight of other victims of heinous crimes. Our response, moreover, will in no way diminish or impugn the memory of the Holocaust. If anything, the success of a Jewish effort against the perpetrators of contemporary mass murder, ethnic cleansing, and genocide will only reinforce the power of the memory of the Holocaust and its unique importance not only for us but for the entire world.

So as we face the terrible crimes being committed in Darfur and its vicinity by Arab militias supported by the Sudanese government, we have a Jewish obligation to speak out against the murders and try our utmost to facilitate prompt action to save those targeted by the killers.

For years we have been preaching “Never Again,” and we have time and again proven our dedication to saving Jews in distress but the time has come to demonstrate clearly that our sacred pledge made in the wake of the Holocaust also applies just as well to the rest of the world. Standing up for Darfur will not betray the memory of Europe’s murdered Jews, it will honor that memory. In the words of Hillel (*Pirkei Avot* Ethics of our Fathers), “If I am not for myself, who will be for me, and when I am only for myself what am I, and if not now, then when?”

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