**THOUGHTS ON THE PARASHAH**

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**Your Neighbor’s Blood**

Leviticus 19 sets forth a series of laws concerning interpersonal relations.  Speech, action, and even inaction are regulated as part of a broader effort to make Israelite society holy.  An especially cryptic verse reads: “Do not deal basely with your countrymen.  Do not stand upon the blood of your fellow; I am the Lord (19:16).”  The exegetes and commentators variously understood the latter half of the verse as banning malevolent action, decrying callous passivity, or mandating valiant heroism.

Scripture requires a person who knowingly withholds pertinent information in a legal case to bring a sin-offering.  “If a person incurs guilt – when he has heard a public imprecation and, although able to testify as one who has either seen or learned of the matter, he does not give information, so that he is subject to punishment (Leviticus 5:1).”  The Midrash derived from 19:16 the requirement to speak up if one is aware of exculpatory information that would spare the blood of the accused (Sifra Kedoshim 2).  The halakhic system of justice is weighted heavily in favor of the defense.  Even as the condemned man is ushered to the execution site, a judicial crier loudly solicits last-minute testimony that might overturn the conviction (Mishnah Sanhedrin 6:1).  The sages were aware of people’s reticence regarding testifying and entangling themselves in dangerous legal matters.  But, in this view, the Torah is here insistent that standing aside and allowing a miscarriage of justice is a grievous sacrilege.

The Midrash further derived from Leviticus 19:16 that one must be proactive in attempting to save the life of someone in physical danger.  If someone is drowning in a raging torrent, being robbed by armed bandits, or being mauled by a wild animal, bystanders must use their best efforts to save him.  If necessary, it is permissible to use lethal force against the aggressor (Sanhedrin 73a).  Even when the victim is not in mortal danger, but is being pursued for sinful sexual purposes (examples would include male sodomy or rape of a betrothed maiden), the bystander is obligated to halt the pursuer.  A rescuer need not give up his life to save a victim (Baba Metzia 62a), though the later rabbis debated whether one ought to play the role of hero at all when there is the potential for the rescuer to suffer serious bodily injury short of death.

This demanding Judaic standard for bystanders is not mirrored in western legal codes.  Many jurisdictions have Good Samaritan laws that grant protection from prosecution or civil litigation to those who made a good-faith attempt to help an injured person but in the process may have aggravated the injury or hastened death.  The purpose of these laws is to encourage the citizenry (and, in particular, trained medical personnel) to act heroically in moments of crisis and not to be dissuaded from doing so by fear of adverse legal consequences.  While these laws are admirable, they are quite far from the Torah’s approach of*requiring*bystanders to act.

The tragic case of Kitty Genovese is the most famous American example of bystanders’ not offering assistance.  She was stabbed to death outside of her Kew Gardens apartment building in the early morning hours of March 13, 1964.  The story made national headlines because, supposedly, 38 witnesses saw and/or heard various aspects of the crime and did not intervene.  The Biblical requirement to act in defense of those being threatened can be, under certain conditions, against human nature.  NYPD Chief of Detectives Albert Seedman asked Genovese’s murderer how he dared to attack a woman in front of so many witnesses.  Winston Moseley replied, “I knew they wouldn’t do anything.  People never do.”  Under the “bystander effect,” the probability of help inversely is related to the number of witnesses.

Onkelos understood Leviticus 19:16 to mean “Do not rise up against your fellow’s blood.”  Ibn Ezra, similarly, read the verse as a warning against joining murderous gangs.  Scripture occasionally uses the verb עמד to connote a bloody conspiracy or violent assault.  For example: “And in those times there shall many stand up (יעמדו) against the king of the south; also the children of the violent among thy people shall lift themselves up to establish the vision; but they shall stumble (Daniel 11:14).”  The Midrash draws a comparison between the Decalogue and the ethical code in Leviticus.  “Do not stand upon the blood of your fellow” is associated with “Thou shalt not commit murder (Exodus 20:13).”

JPS translates Leviticus 19:16 as “Do not profit by the blood of your fellow.”  Given the Scriptural context, Baruch Levine considered this rendering to be the closest to the plain meaning.  עמד can mean to rely upon, subsist upon, or survive.  For example: “You rely (עמדתם) on your sword (Ezekiel 33:26).”  Isaac blessed Esau: “By thy sword shalt thou live (Genesis 27:40).”  If one strikes a Canaanite slave, there is no punishment if he survives (יעמד) for one or two days (Exodus 21:21).  In rabbinic literature, עומד can mean to “endure.”  The world endures on (that is, continues because of) Torah, divine service, and loving-kindness (Avot 1:2).  Scripture warns the Israelite not to pursue a livelihood that endangers the well-being of his fellow.  In this view, Leviticus 19:16 teaches that responsible communal behavior trumps the individual desire to amass wealth through unrestrained commercial activity.

Another approach connects the two halves of Leviticus 19:16.  The absence of a conjunctive letter “*vav*” makes this approach to the verse especially compelling.  One should not engage in tale bearing and gossip mongering, because such falsehoods can lead to the wrongful prosecution of an innocent man.  This idea is alluded to in an earlier verse: “Keep thee far from a false matter; and the innocent and righteous slay thou not; for I will not justify the wicked (Exodus 23:7).”  Ibn Ezra commented that many people have died as a consequence of slander and malicious reporting.  In particular, he mentioned Do’eg the Edomite, who was responsible for the wrongful execution of the Priests of Nob.

Leviticus 19:18 sets forth the ethical precept “Love thy neighbor as thyself.”  Hillel articulated this formulation:  “That which is hateful to you, do not do unto your fellow (Shabbat 31a).”  Actively loving one’s neighbor is a lofty moral achievement, probably beyond the reach of many people.  The prerequisites to love are the absence of hate (19:17) and the awareness that one should do no harm (19:16).  Basic human decency should stop us from causing our fellow human being physical or financial trauma.  And, beyond that, our aversion to injustice should rouse us to act in the face of impending harm to our fellows.