



If He Saw or Knew: Social Protest and Responsibility in the Jewish Tradition

Biblical Sources:

Vayikra 5:1

If a person will sin: If he accepted a demand for an oath, and he is a witness—either he saw or he knew—if he does not testify, he is subject to guilt.

ויקרא פרק ה: א

ונפש כי תחטא ושמעה קול אלהו הוא עד או ראה או ידע אם לוא יגידו נשא עונו

Kohelet 5:7

If you see in a province oppression of the poor and suppression of right and justice, don't wonder at the fact; for one high official is protected by a higher one, and both of them by still higher ones.

קהלת פרק ה

אם עשק רש וגזל משפט וצדק תראה במדינה אל תתמה על החפץ כי גבה מעל גבה שמר וגבהים עליהם

Esther 4:14

On the contrary, if you keep silent in this crisis, relief and deliverance will come to the Jews from another quarter, while you and your father's house will perish. And who knows, perhaps you have attained to royal position for just such a crisis.

אסתר פרק ד

כי אם החרש תחרישי בעת הזאת הוה והצלה יעמוד ליהודים ממקום אחר ואת ובית אביך תאבדו ומי יודע אם לעת כזאת הגעת למלכות

- In which ways do ideas of protest appear in the Bible?
- How do you understand the text from Kohelet? What can we learn from the author's view of authority? How can that translate into personal responsibility?

Rabbinic Sources, Part 1:

Midrash Tanhuma, Mishpatim 2

If a person of learning participates in public affairs and serves as judge or arbiter, he gives stability to the land...

But if he sits in his home and says to himself, "What have the affairs of society to do with me?... Why should I trouble myself with the people's voices of protest? Let my soul dwell in peace!"—if he does this, he overthrows the world.

מִלְכָּה שֶׁל תּוֹרָה, בְּמִשְׁפָּט שֶׁהוּא עוֹשֶׂה, מְעַמֵּד אֶת הָאָרֶץ...

אִם מְשִׁים אָדָם עִצְמוֹ כְּתְרוֹמָה הַזֹּאת שְׁמוֹשְׁלֶכֶת בְּזוּיוֹת הַבַּיִת וְאוֹמֵר: מָה לִּי בְּטוֹרַח הַצְּבוּר? מָה לִּי בְּדִינֵיהֶם? מָה לִּי לְשִׁמוּעַ קוֹלָם? שְׁלוֹם עֲלֶיךָ. נִפְשִׁי! הֲרִי זֶה מַחְרִיב אֶת הָעוֹלָם.

Shemot Rabbah 27:9

As long as one is but an ordinary scholar, he has no concern with the congregation and is not punished [for its lapses], but as soon as he is appointed head and dons the cloak [of leadership], he must no longer say: 'I live for my own benefit, I care not about the congregation,' but the whole burden of the community is on his shoulders. If he sees a man causing suffering to another, or transgressing, and does not prevent him, then he is held punishable.

כָּל הַיָּמִים שֶׁאִדָּם חֵבֵר לֹא אִיכַפֵּת לוֹ בְּצַבוּר וְאִינוֹ נֶעֱנָשׁ עֲלָיו, נִתְמַנֵּה אָדָם בְּרֹאשׁ וְנִטְלָה טְלִית לֹא יֹאמֵר לְטוֹבֵתִי אֲנִי נֹזֶקֶק לֹא אִיכַפֵּת לִי בְּצַבוּר אֲלֵא כָּל טוֹרַח הַצְּבוּר עֲלָיו, אִם רָאָה אָדָם מַעֲבִיר בֵּינָא עַל חֲבִירוֹ אוֹ עוֹבֵר עֲבִירָה וְלֹא מִמַּחֵה בִּידוֹ הוּא נֶעֱנָשׁ עֲלָיו, וְרוּחַ הַקֹּדֶשׁ צוֹוַחַת בְּנֵי אִם עֲרַבְתָּ לְרַעַךְ, אֵתָה עֲרַב עֲלָיו תִּקְעַת לְזֵר כַּפֶּיךָ, אִמֵּר לוֹ הַקַּב"ה אֵתָה הַכֹּנֶסֶת עִצְמְךָ לְזִירָה, וְמִי שֶׁהוּא מַכְנִיס עִצְמוֹ לְזִירָה אוֹ נִיצוּחַ אוֹ נוֹצָח, א"ל הַקַּב"ה אֲנִי וְאַתָּה עוֹמְדִים בְּזִירָה אוֹ נִצַּחַת אוֹ נִצַּחְתִּי.

P'sikta D'Rav Kahana 12:6

"You are my witnesses, and I am God" (Isaiah 43:12) Rabbi Shimon ben Yochai taught, "Only when you are my witnesses, I am God, but when you are not my witnesses, it is as if I am not God."

וְאַתֶּם עֲדֵי נֹאֵם ה' וְאֲנִי אֵל. תְּנִי ר' שְׁמַע' בֶּן יוֹחִי אִם אַתֶּם עֲדֵי נֹאֵם ה', אֲנִי אֵל, וְאִם אֵין אַתֶּם 'עֲדֵי כִּבְיוֹל אֵין אֲנִי ה'.

- The rabbis draw clear distinctions between leaders and others. How do you define who is a leader? Is a leader chosen, or can s/he be self-appointed?
- What do you make of R. Shimon's statement? How does God fit into our vision of global responsibility?

BT Shabbat 54b

Everyone who can protest the sin of his household and does not, is responsible for the people of his household. For the people of his city, he is responsible for the people of his city. For the whole world, he is responsible for the whole world.

כָּל מִי שֶׁאִפְשָׁר לְמַחוֹת לְאַנְשֵׁי בֵּיתוֹ וְלֹא מִיחָה - נִתְפַּס עַל אֲנָשֵׁי עִירוֹ - נִתְפַּס עַל אֲנָשֵׁי עִירוֹ, בְּכָל הָעוֹלָם כּוֹל - נִתְפַּס עַל כָּל הָעוֹלָם כּוֹל.

BT Kiddushin 56 b

It is not the mouse who steals, but the hole steals! Yet but for the mouse, what harm is done by the hole! — It seems rather that where the transgression lies, there we impose a penalty.

BT Sanhedrin 73a

How do we know that if a person sees another person drowning, mauled by beasts, or attacked by robbers, s/he is bound to save him? From the verse, “You shall not stand idly by the blood of your neighbor!” (Leviticus 19:16).

- What is the distinction drawn between active and passive offenders? Do you agree with these distinctions?
- How do we judge in which communities our voices will be heard? Are there ways to gather our voices together to expand our influence?

Rabbinic Sources, Part 2:

Rashi on Deuteronomy 22:1

And ignore them - conquering his eyes as if he does not see it/him.
You shall not see, and ignore - The plain meaning here is that you shall not notice only in order to ignore.

Rambam, Laws of Temperament 6:7

If you see that someone committed a sin or walks in a way that is not good, it is your responsibility to bring the mistaken one back to the right path and point out that he is doing wrong to himself by this evil course, as it is said, “You must surely condemn your neighbor” (Lev. 19:17). **One who condemns another, whether for offenses against people or for sins against God, should scold in private, speak to the offender gently and tenderly, and point out that the criticism is offered for the person’s own good,** to secure life in the World to Come. If the person accepts the rebuke, well and good. If not, the person should be rebuked a second, and a third time. **And so one is obligated to continue the critiques, until the sinner attacks the rebuker and says, “I refuse to listen.”**

קידושין נו ב

לאו עכברא גנב אלא חורא גנב ואי לא עכברא חורא מאי קעביד מסתברא כל היכא דאיכא איסורא התם קנסינן

תלמוד בבלי מסכת סנהדרין דף עג עמוד א

תנו רבנן: מניין לרודף אחר חבירו להרגו שניתן להצילו בנפשו - תלמוד לומר +ויקרא י"ט+ לא תעמד על דם רעך

רש"י דברים פרק כב

והתעלמת - כובש עין כאלו אינו רואהו לא תראה, והתעלמת - לא תראה אותו שתתעלם ממנו, זהו פשוטו

הרואה חבירו שחטא או שהלך בדרך לא טובה מצוה להחזירו למוטב ולהודיעו שהוא חוטא על עצמו במעשיו הרעים שנאמר הוכח תוכיח את עמיתך (ויקרא יט:יז), המוכיח את חבירו בין בדברים שבינו לבינו, בין בדברים שבין המקום, צריך להוכיחו בינו לבין עצמו, וידבר לו בנחת ובלשון רכה ויודיעו שאינו אומר לו אלא לטובתו להביאו לחיי העולם הבא, אם קיבל ממנו מוטב ואם לאו יוכיחנו פעם שניה ושלישית, וכן תמיד חייב אדם להוכיחו עד שיכהו החוטא ויאמר לו איני שומע, וכל שאפשר בידו למחות ואינו מוחה הוא נתפש בעון אלו כיון שאפשר לו למחות בהם

Whoever is in a position to prevent wrongdoing and does not do so is responsible for the sins of all the wrongdoers whom that person might have stopped.

- What is our role in protesting? What values do we have to take into account when we do it?
- Are we obligated to consider the feelings of the person who we rebuke?
- Do you agree with the Rambam that we have to protest over and over? How much is too much?

Contemporary Perspectives:

“Why We Went,” A statement from Prison from rabbis and Jewish lay leaders, St. Augustine, Florida, 1964

We came because we could not stand idly by our brother's blood. We had done that too many times before. We have been vocal in our exhortation of others but the idleness of our hands too often revealed an inner silence...we came as Jews who remember the millions of faceless people who stood quietly, watching the smoke rise from Hitler's crematoria. We came because we know that second only to silence, the greatest danger to man is loss of faith in man's capacity to act.

Abraham Joshua Heschel, “A Prayer for Peace,” 1971

O Lord, we confess our sins, we are ashamed of the inadequacy of our anguish, of how faint and slight is our mercy. We are a generation that has lost its capacity for outrage. We must continue to remind ourselves that in a free society all are involved in what some are doing. Some are guilty, all are responsible.

- How do Heschel and the St. Augustine leaders explain the Jewish obligation to protest? Is there overlap with earlier sources, or are they operating according to a different framework?
- How do these thinkers translate this mandate into practical action?
- What are our modern-day equivalents of the civil rights movement?