

Acharei Mot-Kedoshim 5781
Our Collective Responsibility

This week, Derek Chauvin was convicted of murdering George Floyd. An unusually broad group of Americans has hailed the justice of this verdict, from advocates of policing reform to representatives of police unions. Like many Americans, I followed the trial in the news, reading summaries of each day's arguments, and occasionally watching clips of the testimony. One of the most heartbreaking pieces of testimony, which still brings me to tears when I read it, is a statement by Darnella Frazier, the teenager whose smartphone footage brought the murder to the public's attention, and without which Chauvin might never have been fired, much less convicted of murder. On the witness stand she said, "It's been nights I stayed up apologizing and apologizing to George Floyd for not doing more and not physically interacting and not saving his life."

Beyond the pain and suffering endured by George Floyd and his loved ones, Frazier and the other witnesses to the murder were also tertiary victims of this crime, each of them forced to witness a violent murder in slow motion, and wonder for perhaps the rest of their lives, "Is there something I could have done to change the outcome of that event?" Objectively, there was little Frazier and the other witnesses could have done, beyond protesting, filming and bearing witness, but I imagine that many of us would feel much as Frazier did, were we unfortunate enough to witness a similar atrocity. After all, we have a moral and religious obligation to interfere when violence is committed.

This week in Parshat Acharei Mot-Kedoshim, we read the statement (Vayikra 19:16):

לֹא-תֵלֵךְ רֵכִיל בְּעַמֶּיךָ לֹא תַעֲמֹד עַל-דַּם רֵעֶךָ אֲנִי ה':

Do not go gossip-mongering among your people; do not stand idly over the blood of your fellow, I am Hashem.

The Torah is not content to merely prohibit murder; it also prohibits us from sitting idle, when our fellow comes to harm. The juxtaposition of this warning with the apparently unrelated prohibition of gossip teaches us at least two things. First of all, our sages teach that this shows us that gossip is no small matter; not only can it sometimes lead to bloodshed, but damaging someone's reputation can be as harmful as physical violence. Second, by juxtaposing these prohibitions, the Torah is warning us not to let our reluctance to engage in gossip prevent us from speaking out when someone is in danger. Our duty to interfere when others are in danger is so strong that it supersedes the weighty prohibition on gossip.

While it seems clear to me that, whatever private feelings of guilt they might harbor, Frazier and the other witnesses could not have done anything more than they did that morning to prevent Chauvin from murdering Floyd, I do think the prohibition against standing idle is relevant to our conversation about that moment. I refer not only to the other three police officers who face charges of aiding and abetting murder for their actions (and failure to act) during the murder of George Floyd. I actually am referring to all of us.

The Torah prescribes a ritual in the event of an unsolved murder. The elders of the town nearest to where the murder took place are to take a heifer to a desolate riverbed, break its neck, and say, as they wash their hands over the corpse of the heifer, "Our hands did not shed this blood, nor did our eyes see it done." The rabbis of the Talmud (Sotah 38b) express puzzlement that the elders would have to make such a declaration. No one is accusing the elders of having committed the murder, so why should they have to proclaim their innocence? Instead, the Talmud explains, the elders are really

saying “the victim of this murder did not come to us seeking food and shelter, and we did not dismiss him, we did not see him and leave him without an escort for his journey.” In other words, even those who are seemingly very far removed from an act of murder, would be nonetheless responsible for the murder, if it was found that they failed in their responsibility to provide the victim with basic sustenance and protection. In our society, it is not just the elders of the town who are responsible for deciding who is protected and who is left to fend for themselves. In a democracy we all participate in those decisions, which means that in the words of Rabbi Abraham Joshua Heschel, “Few are guilty, but all are responsible.”

On one level, Floyd's murder had nothing to do with me. I wasn't there that day, so there was nothing I could have done. However, there is certainly much more I and all of us could have done in past years and decades to correct the injustices faced by Black people not only in our criminal justice system, but also in our educational system and our economy and our culture in general. If we zoom in on the morning of George Floyd's murder, it's hard to see anything any of us could have done to stop it; if we zoom out, to look at the larger societal picture, how many of us could honestly wash our hands and say, “My hands didn't spill this blood, nor did my eyes see it done?”

We will never triumph over evil and injustice if we confine ourselves to prosecuting and punishing individual evildoers. Punishing those who commit violence is necessary, but insufficient. Justice requires us also to build a society in which everyone enjoys equal protection from violence, and equal access to the resources necessary to provide for themselves and their families. Until we succeed in doing that, whenever violence or injustice are perpetrated, we must know that we are all responsible.

Shabbat Shalom!