

## CURRENT TALMUD PASSAGE

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### BH

## BLOODSHED CAUSES GOD'S PRESENCE (THE SHEKHINAH) TO LEAVE US

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Our sources decry violence. Bloodshed, whether a crime of opportunity, or even capital punishment, stains the very ground on which we walk.

Our midrash collection on Exodus, Mekhilta d'Rabbi Yishmael, comments on this verse:

"If the thief is seized while breaking [into a house] and he is beaten to death, there is no bloodguilt in his case.(Exodus 22:1)"

Meaning...

If someone is breaking into your house at night, you may kill him in self-defense, even though he may only be breaking in to steal things. In other words, there is a doubt as to whether he is there to kill you or not. Nevertheless, you are allowed to kill him to prevent him from killing you since, in the darkness, you cannot ascertain his objective.

Our midrash on this verse we says:

From this case you can draw a conclusion with regard to the saving of life. Since even shedding of blood, which defiles the land and causes the Shekhinah to leave, is permitted in disregard of the doubt, all the more should saving a person be done in disregard of any doubt. (Mekhilta deRabbi Yishmael, Nezikin, 13)

Mekhilta flips our verse on its head and applies it to the opposite case: tunneling toward someone on Shabbat to save their life, whether you are sure they are dead or not, whether they are Jewish or not Jewish, should be done.

### Discussion Questions:

1. In Tucson, we had people banishing the Shekhinah and drawing it back, almost at the same instant. One man, murdering viciously, others trying to stop him in various ways and still others rushing toward the stricken. I'm asking a truly serious policy question here: what must we do to retain the Shechinah, God's presence, in our country? Mekhilta tells us that bloodshed causes God's presence to leave. Life-saving, by extension, causes the Shekhinah to stay. So how can we reduce bloodshed and increase life saving?
2. The sages, who hated the death penalty, would undoubtedly adjudge the killer insane. They would not put him to

death, but they would lock him up. How could we, through better identification and treatment of people with mental illness and disabilities, keep the Shekhinah in our land?