

## Gun violence and saving life

RH morning 2018

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Final

Life and death are major motifs of the High Holy Days. Yes, we speak of the sweetness of the New Year and new beginnings but we can't get away from the message of our lives being in limbo. The books of life and death are open on this day and the Holy One of Blessing, seals our fate on Yom Kippur. The days between Rosh Hashanah and Yom Kippur are an intense time of reflection. The *Untaneh Tokef* prayer, in particular, goes through the many different ways a person can leave this world. It states who by water, who by fire, who by earthquake, who by sword, who by beast, and who shall see ripe age and who will not. However, it is by *Tefillah*, *Teshuvah*, and *Maaseim tovim* that we can temper the decree against us. Most of us try not to think of our mortality or the way we will die but the High Holy Days demand that we confront the temporal nature of our existence. I saw this joke that states, "When I die, I want to go peacefully like my grandfather did, in his sleep -- not screaming like the passengers in his car."<sup>1</sup>

Before we take the keys away from grandpa, I want to get serious with you. I want to talk about a subject matter that I've spoken about before and that I feel impelled to address again because sadly I don't see it being resolved anytime soon. This about one of the ways I hope none of you die or any member of your family. It about an epidemic of violence that has been ransacking our country for years. I want to talk about saving life and lessening the amount of gun deaths in our nation.

I agonize over this time and time again. I found myself, in particular, shaken to the core after the Parkland, Florida high school shooting this past winter. I'm terrified that it's just a matter of time before I'm officiating at a funeral for a member of your family who was murdered. How long will it be before there's shooting at Marina or Los Alamitos High school? When will there be a rampage at Bella Terra? How soon until there's an active shooter at Bolsa Chica, Balboa Island, or Katella Deli? It was only a few years ago, that there was a shooting right in our backyard at the Salon Meritage in Seal Beach.

There are deaths that we cannot escape or prevent but gun violence is one of those things that we can and must do something about even if we can't eradicate it all, even if we cannot save all lives, even if there will still be some shootings around our country. Our Torah in Leviticus 19:16 instructs us, "Do not stand idly by while your neighbor's blood is shed." This verse admonishes us not to look the other way. We can no longer afford to be idle because too much blood is being shed.

In our 3<sup>rd</sup> century rabbinical work known as the Mishnah, we have a famous teaching:

שְׂפַל הַמַּאֲבָד נִפְשׁ אַחַת .. כְּאִלּוּ אֶבֶד עוֹלָם מְלֵא

Whoever destroys a soul, it is considered as if he destroyed an entire world.

וְכֹל הַמְּקַיֵּם נִפְשׁ אַחַת, קַיֵּם עוֹלָם מְלֵא

And whoever saves a life, it is considered as if he saved an entire world.<sup>2</sup>

One life, what is one life worth? Let's think about ourselves and the years of experience, the things we have done, the families we have created, and the people we have impacted. One life, one person, is a world unto him/herself. To even save one life is a supreme Jewish value. And if we can save more than one life, we will save countless families pain and loss.

Last year at Los Alamitos High School, the seniors of the drama department wrote their own ten minute plays. They do this every year. Well, this past spring one of the students portrayed an active shooting from the perspective of the teacher, students, and shooter. I felt such pain that this is what our youth now experience. I feel that I have let them down. When I was a child, we did fire drills. Here in California, you did earthquake drills. Never did I have the fear that a fellow student or a deranged adult would come in with a fire arm to murder us. I, as an adult, have let our younger generation down. *Ashamnu, Bagadnu, Gazalnu, dibardu dofi...*

Now, I realize that there are many different ideas of how to reduce gun violence in our country and even here in this sanctuary. I applaud the many approaches to making our loved ones safer. I do however take issue with apathy or with the thought that nothing can be done, that this is just price of living in our country. I refuse to accept that shootings such as at the Route 91 Harvest music festival in Las Vegas is the new normal. I refuse to accept that our children will have to go through active shooting drills at their school. I refuse to stand idly by.

And so, I'd like to explore the differing approaches to reducing gun violence. If there is anything that you take away from my sermon this morning, it's that we all have a responsibility to help reduce gun violence in our nation because we are, in essence, helping our community and our families.

First of all, I have to acknowledge that Judaism has always taught that we can and should defend ourselves. In the Talmud, for example, if a thief breaks into our house and we assume that he is going to fight us, we can kill him first.<sup>3</sup> Moses Maimonides, one of our great medieval sages, teaches in the Mishneh Torah, that if someone is pursuing another person with the intent of killing him, we must do everything possible to save his life. If there are no other options, we can kill the pursuer, i.e. the would be murderer.<sup>4</sup> In Judaism, we are not taught to turn the other cheek. We must save lives and protect others. We can and must defend ourselves. However, it's important to note that these texts deal with imminent threats as opposed to hypothetical risks.

The 6<sup>th</sup> century Talmud deals explicitly with who can have access to weapons. In the Talmud in Avodah Zarah <sup>5</sup>, we learn that one is warned not to sell weapons or their accessories to idolaters. Avodah Zarah, idol worship, was a major transgression in the day but the rabbis didn't stop there. They also included a prohibition on selling weapons to anyone who might have criminal intentions such as a robber. Also we have a warning about selling dangerous animals such as bears or lions to certain people because they may injure the public. Furthermore, in the 16<sup>th</sup> century Jewish legal code known as Shulchan Aroch we learn that an owner in a city must keep his dangerous dog tied up.<sup>6</sup> While there is concern about the dog defending his master, there is a greater concern with it harming others.

Through these texts, we see that individuals can and should defend themselves. However, there are concerns about selling weapons to the wrong kind of people and preventing a vicious dog from attacking someone. Clearly the rabbis are not only concerned with personal protection but also about the safety of others in the neighborhood. Our religion is concerned first and foremost with life, the saving and preservation of lives and the well-being of our society. This is why you cannot find within Judaism an unequivocal call to arms for all and at all times. It is limited.

Now let's get to our country. The United States is a violent one. According to a 2007 report by the Switzerland-based Small Arms Survey, the United States ranks number one in firearms per capita and we have the highest homicide by firearm rate among the world's most developed nations.<sup>7</sup> The United Nations office of Drugs and Crime data base confirms that the US has a much higher rate of homicides than all but 3 out of 34 nations surveyed. For example, we have more homicides than Israel, Canada, France, and the United Kingdom to name a few.<sup>8</sup>

The American Journal of Medicine in 2010 examined the mortality data from the World Health Organization and found that "US homicide rates were 7.0 times higher than in other high-income countries, driven by a gun homicide rate that was 25.2 times higher. For 15- to 24-year-olds, the gun homicide rate in the United States was 49.0 times higher. Firearm-related suicide rates were 8.0 times higher in the United States..." They concluded that "The United States has an enormous firearm problem compared with other high-income countries, with higher rates of homicide and firearm-related suicide."<sup>9</sup>

Some believe that the cause of gun violence can be linked to video games and violent movies. I personally would be delighted if those things disappeared but studies demonstrate that they are not the cause. "In a 2005 essay for PBS, Henry Jenkins, a professor at the University of Southern California, said that juvenile crime in the United States was at a 30-year low even though large numbers of young people play video games. "Researchers find that people serving time for violent crimes typically consume less media before committing their crimes than the

average person in the general population...When it comes to video games,” he said, “The overwhelming majority of kids who play do not commit antisocial acts.”<sup>10</sup>

If violent video games were to blame, then there would be lots of gun violence in Germany, Canada, and United Kingdom. According to a gaming market research company, 60 % of the population in Japan plays video games but almost no one is killed by a gun...<sup>11</sup>

Furthermore, the Supreme Court in 2011 dismissed any link between game violence and real violence when it ruled, 7 to 2, that California could not block the sale of violent games to kids.

Justice Antonin Scalia, a hero in the conservative movement, wrote for the majority:

"Psychological studies purporting to show a connection between exposure to violent video games and harmful effects on children do not prove that such exposure causes minors to act aggressively. Any demonstrated effects are both small and indistinguishable from effects produced by other media."<sup>12</sup>

What I would like to propose is the following even as I acknowledge to you that my perspective adjusts to new information. This is my latest thoughts on this very difficult subject matter.

1. In keeping with the Talmudic teaching, we should **keep guns out of the hands of those who may commit violent acts**. A Pew study states states that “Solid majorities of both gun owners and non-owners favor limiting access to guns for people with mental illnesses and individuals who are on the federal no-fly or watch lists (82% or higher favor among each group). In addition, strong majorities favor background checks for private sales and at gun shows (77% among gun owners and 87% among non-owners).”<sup>13</sup> If you are a member of the NRA and you agree with the Pew study results, then advocate for common sense restrictions that certain people with a propensity to be dangerous, should not be able to purchase a fire arm.

2. **Fund research into reducing gun violence**. Some years ago, Congress took funding away from research as to how to reduce gun violence. “The Dickey Amendment, passed in 1996, mandates that “none of the funds made available for injury prevention and control at the Centers for Disease Control and Prevention (CDC) may be used to advocate or promote gun control.”<sup>14</sup> This was a colossal mistake. We need now more than ever a smart and thorough approach to saving lives and knowledge will only help us. I am not personally in favor of knee jerk reactions to adding gun restriction laws without knowing their efficacy. With sound research, we can have intelligent policy that will reduce the amount of gun violence in our country.

3. **Look for common ground where possible**. Reducing gun violence doesn’t have to be all or nothing. I was at a rabbi’s conference this past spring where presenters spoke

of ways to protect second amendment while reducing gun violence. Their organization is called, “Do not stand idly by.”<sup>15</sup> They want the manufacturers of guns to make them make safer through smart gun technology. Apparently, they can make guns where only the registered owner can shoot them. Just think of how many lives could be saved if a friend, nephew, or grandson, took a family members gun but couldn’t shoot it? How many suicides or accidental homicides could be prevented? This organization advocates for responsible sales and for the companies that step up to lead in these areas to thrive.

4. I want our **politicians to make decisions and policy on the greater good** of our society as opposed to campaign contributions. I realize this is a much bigger issue but when it comes to gun violence, it really is a matter of life and death.

5. I want to see **training to anyone who wants to purchase a firearm** similar to what we have our teens do through the DMV. A person should be able to pass a simple test about the dangers and responsibilities of owning a fire arm and demonstrate they know how to lock it up and shoot it. Just like we aren’t going to allow my son Shane behind the wheel of a car until he demonstrates that he understands the rules of the road and can safely operate a vehicle, we shouldn’t be allowing people without training or understanding to own guns. This is for the safety of them but also more importantly for everyone else.

6. There needs to be **resources for mental health**. We need good therapists and psychologists available for our teens and adults. This is not a luxury but a necessity.

7. **Greater coordination between the police and FBI**. This was a major failure that contributed to the Florida shooting.

8. **Allowing family and friends to issue red flag warnings** about people they know. They are usually on the first line of defense and most likely to be aware of the violent urgings of people in their circle.

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And whoever saves a life, it is considered as if he saved an entire world.<sup>2</sup>

I realize that much needs to be done but if we the people are invested in reducing gun violence, I believe it is possible. We may not be able to eliminate all deaths but even if we can save one life, the life of your son or daughter or grandchild, isn’t it worth it?

## Notes:

<sup>1</sup> <http://jokes.cc.com/funny-gross/zx7fm5/a-prayer-before-dying>

2 Mishnah Sanhedrin 4:5 Babylonian Talmud Tractate Sanhedrin 37a

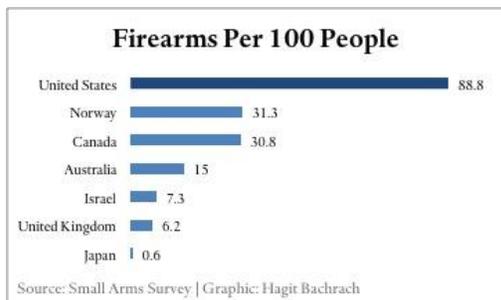
<sup>3</sup> Sanhedrin 72a MISHNAH. [THE THIEF] WHO BURROWS HIS WAY IN<sup>2</sup> IS JUDGED ON ACCOUNT OF ITS PROBABLE OUTCOME. .GEMARA. Raba said: what is the reason for the law of breaking in? Because it is certain that no man is inactive where his property is concerned; therefore this one [the thief] must have reasoned, 'If I go there, he [the owner] will oppose me and prevent me; but if he does I will kill him.' Hence the Torah decreed, 'If he come to slay thee, forestall by slaying him'.

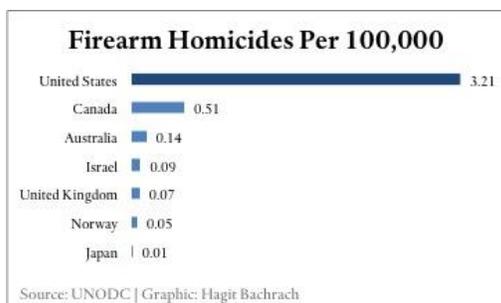
4 Mishneh Torah- Maimonides Rotseah uShmirat Nefesh - Chapter One Halacha 6.. When, however, a person is pursuing a colleague with the intention of killing him - even if the pursuer is a minor - every Jewish person is commanded to attempt to save the person being pursued, even if it is necessary to kill the pursuer.

5. Avodah Zarah 15 B & 16 A R. Dimi b. Abba said: Just as it is forbidden to sell<sup>23</sup> to an idolater, so it is forbidden to sell to a robber who is an Israelite. What are the circumstances? If he is suspected of murder, then it is quite plain; he is the same as an idolater! If [on the other hand] he has never committed murder, why not [sell them to him]? — It refers indeed to one who has not committed murder; but we may be dealing here with a cowardly thief who is apt at times [when caught] to save himself [by committing murder]. Our Mishnah says: ONE SHOULD NOT SELL THEM BEARS, LIONS, OR ANYTHING WHICH MAY INJURE THE PUBLIC. The reason, then, is because they may injure the public, but were it not for fear of injury to the public would it be permitted?<sup>2</sup>

<sup>6</sup> Shulchan Aruch Choshen Mishpat 409:3

<sup>7</sup> <http://www.cfr.org/society-and-culture/us-gun-policy-global-comparisons/p29735> The United States, with less than 5 percent of the world's population, has about 35–50 percent of the world's civilian-owned guns, according to a 2007 report by the Switzerland-based Small Arms Survey. It ranks number one in firearms per capita. The United States also has the highest homicide-by-firearm rate among the world's most developed nations.





<sup>8</sup> <http://www.businessinsider.com/oecd-homicide-rates-chart-2015-6>

<sup>9</sup> [https://www.amjmed.com/article/S0002-9343\(15\)01030-X/fulltext](https://www.amjmed.com/article/S0002-9343(15)01030-X/fulltext)

<sup>10</sup> <https://www.nytimes.com/2018/02/23/us/politics/trump-video-games-shootings.html>

<sup>11</sup> <https://newzoo.com/insights/infographics/japanese-games-market-2016/>

<sup>12</sup> <https://www.nbcnews.com/news/us-news/here-s-what-we-know-about-links-between-video-games-n852776>

<sup>13</sup> <http://www.pewsocialtrends.org/2017/06/22/americas-complex-relationship-with-guns/> Solid majorities of both gun owners and non-owners favor limiting access to guns for people with mental illnesses and individuals who are on the federal no-fly or watch lists (82% or higher favor among each group). In addition, strong majorities favor background checks for private sales and at gun shows (77% among gun owners and 87% among non-owners).

<sup>14</sup> <https://magazine.jhsph.edu/2017/fall/features/cassandra-crifasi-hopkins-moderate-gun-owner-gun-policy-researcher/how-the-dickey-amendment-affects-gun-violence-research.html>

<sup>15</sup> <http://donotstandidlyby.org/our-campaign/> This campaign, launched by the faith leaders and citizens who make up the Metro Industrial Areas Foundation (Metro IAF) network, is based on two simple premises:

1. We can't end the plague of gun violence in America until the manufacturers of guns make safety and responsible sales among their highest priorities.
2. The companies that step up to lead in these areas will thrive. They'll tap a growing demand for safety, and expand their market share among major public-sector gun buyers.

Citizens, law enforcement leaders, public officials and investors are working together to ask gun manufacturers to lead their industry by:

- Creating first-rate networks of dealers that meet high standards of security, record keeping and cooperation with law enforcement.
- Bringing child-proof, theft-proof guns to market – along with a variety of other gun safety technologies.

These and other changes can be made, starting right now, without jeopardizing in any way the ability of law-abiding Americans to buy and own firearms. The result will be fewer gun-related crimes on the streets of our cities, fewer mass shootings in our schools and public places, fewer accidental deaths and injuries caused by children and others with guns.