

PARSHAT SHOFTIM: THE LINE BETWEEN MURDER AND APATHY

This guide corresponds to the video: [The Line Between Murder And Apathy](#)

SABBATH TABLE OUTLINE

- I. Introduction: Cities of Refuge – protect an inadvertent killer from the victim’s family
 - A. Model case: A man is chopping wood; his ax slips out of his hand and kills someone.
 - B. The inadvertent killer can escape to one of three cities of refuge for protection.



- II. Where have we heard this before?
 - A. The story of Cain and Abel
 - i. Cain may seem evil, but a few pieces of evidence indicate that the murder of Abel was inadvertent:
 1. No one had ever killed anyone before; no one had ever died before.
 - a. If you were Cain, you wouldn’t even know *how* to kill someone!
 2. Afterwards, God doesn’t kill him – even though the Torah does believe in capital punishment.
 3. Cain is condemned to perpetually wander, to build cities but never to settle.
 4. Cain is worried about death at the hand of an avenger (Genesis 4:14), but God provides protection through the mark placed on Cain’s forehead (4:15).
 - a. This is just like the laws of an inadvertent killer and the Cities of Refuge. If the avengers act while the inadvertent killer is in a City of Refuge, society will hold them liable.



- III. What do we make of these similarities?
 - A. The laws shed light on the story of Cain and Abel, and the story sheds light on the laws.

- i. The laws shed light on the story of Cain and Abel:
 1. When we realize – from the laws in Deuteronomy – that Cain is not barbaric but an inadvertent killer, we ask whether he is entirely innocent or in any way guilty.
 2. The text is clear that Cain is guilty, but not for the murder – for his apathy.
 - a. “Am I my brother’s keeper?”
 3. Now, we wonder: Cain may not have wanted to kill Abel, but did he care?



- ii. The story of Cain and Abel sheds light on the laws:
 1. Why is God “nice” to Cain, particularly after Cain expresses fear of vengeance (in that he provides Cain with protection)? Does Cain really deserve that?
 - a. It’s *exactly* what Cain deserves.
 - b. Cain is guilty of failing to protect his brother. Now, Cain is protected.
 - i. On the one hand, this is a great act of kindness.
 - ii. On the other hand, there is a layer of terrible justice: he will live with a recognition that he owes his life to a kindness that he failed offer to his brother. He lives with perpetual torment.
 - c. Back to Deuteronomy: As a nation, we are required to provide the protection to an inadvertent killer that he did not provide to the victim.
 - i. He lost control of the ax accidentally, but he didn’t take the proper precautions to make sure that didn’t happen.



- ii. Now, the people provide him the protection that he didn't provide.
 1. This is just like what God did for Cain.
 2. Like Cain, the inadvertent killer must live with the torment that he lives only because of the protection that he failed to provide.