

A Surprising Sugya on Responsibility and Weapons Sales

Babylonian Talmud Avoda Zara 15b-16a

ועוד תניא: אין מוכרין להם לא זיין ולא כלי זיין, ואין משחזיין להן את הזיין, ואין מוכרין להן לא סדן ולא קולרין, ולא כבלים ולא שלשלאות של ברזל, אחד עובד כוכבים ואחד כותי; מ"ט? אי נימא דחשידי אשפיכות דמים, ומי חשידי? האמרת: ומייחדין עמהן, אלא משום דאתי לזבונה לעובד כוכבים! וכי תימא: כותי לא עביד תשובה, ישראל עביד תשובה, והאמר רב נחמן אמר רבה בר אבון: כדרך שאמרו אסור למכור לעובד כוכבים, כך אסור למכור לישראל החשוד למכור לעובד כוכבים! רהיט בתריה תלתא פרסי, וא"ד: פרסא בחלא, ולא אדרכיה. א"ר דימי בר אבא: כדרך שאסור למכור לעובד כוכבים, אסור למכור ללסטים ישראל. ה"ד? אי חשיד דקטיל, פשיטא, היינו עובד כוכבים! ואי דלא קטיל, אמאי לא? לעולם דלא קטיל, והב"ע - במשמוטא, דזימנין דעביד לאצולי נפשיה. ...

אמר רב אדא בר אהבה: אין מוכרין להן עששיות של ברזל; מ"ט? משום דחלשי מינייהו כלי זיין. אי הכי, אפילו מרי וחציני נמי! אמר רב זביד: בפרזלא הינדואה. והאי דנא דקא מזבנינן, א"ר אשי: לפרסאי דמגנו עילוון.

It has further been taught:

One should not sell either idolaters or Cutheans weapons or accessories of weapons. Nor should one grind a weapon for them or sell them stocks, neck-chains, ropes or iron chains.

Why not?

- Shall we say because they (Cutheans) are predisposed to murder?
 - o But if they were so predisposed, would we have just said that one may be alone with them? (quoting from a recent discussion)
 - o Hence the prohibition must be because the Cuthean might sell it to an idolater.
- Should you, moreover, say that whereas a Cuthean will not repent an Israelite will repent?
 - o But R. Nahman said in the name of Raba b. Abbuha: 'Just as they said it is forbidden to sell to an idolater, so too is it forbidden to sell to an Israelite who would be likely to sell it to an idolater!' He [Raba] thereupon ran three parasangs after the buyer - some say one *parasang* along a sand-dune - but failed to overtake him.

R. Dimi b. Abba said: Just as it is forbidden to sell (weapons) to an idolater, so it is forbidden to sell to a highwayman who is an Israelite.

What are the circumstances? If the Israelite highwayman is a murderer, then the law is quite plain; he is an idolater! If, however, he has never committed murder, why not [sell them to him]?

This statement must refer instead to a sneak-thief who has not committed murder but who might try to save himself (from being caught) by committing murder.

...

Said R. Adda b. Ahabah: One should not sell them bars of iron.

Why? — Because they may hammer weapons out of them.

- If so, spades and pick-axes too [should be forbidden]!
 - o Said R. Zebid: We mean [bars of] Indian iron.
 - Why then do we sell it now?
 - Said R. Ashi: [We sell it] to the Persians who protect us.

Conclusion

We can, and apparently once did, sell arms to ‘us’. The question is where does ‘us’ end and ‘them’ begin. For the Talmud it’s pretty clear... Jews are ‘us’, Cutheans might be ‘us’ or ‘them’ but when push comes to shove they’re ‘them’, idolaters are definitely ‘them’ ... and then our sages make it all murky by suggesting that selling to Persians is acceptable because they’re allies... idolaters who are actually ‘us’... as opposed to Jewish criminals who have become idolaters – Jews who are actually ‘them’. The incident reported of Rabbah teaching about the dangers of selling arms to ‘one of us’ who might turn around and sell them to ‘one of them’ and then running across the beach to catch the man to whom he’s just sold a weapon is kind of funny... until we realize that Rabbah has just been held responsible for signing a death warrant for ‘one of us’.

That distinction between ‘us’ and ‘them’ was as confusing in the ancient world, apparently, as it is today. Few mind selling arms to ‘us’ to use in self-defense... that’s safe and responsible. It’s ‘them’... the people out to commit acts of violence... that we have to worry about. This sugya holds the craftsman and middleman responsible for their decision to sell weapons to ‘them’, even once removed... now that’s a tough business demand. But we also note that, despite the challenges, the passage doesn’t outlaw weapons sales or manufacture.

This passage deals in a mature, complicated way with the responsibilities of dealing in arms and the care required to engage in that business... right alongside a discussion of its economic necessity. Its engagement with the complex web of responsibility around the manufacture and distribution of weapons gives us additional perspective as we continue to push for intelligent, thoughtful gun safety laws and practices.