

Who Should Own a Gun?
by Rabbi Joseph Meszler

סנהדרין ע"ב א:ד'

גמ' אמר רבא מאי טעמא דמחותרת חזקה אין אדם מעמיד עצמו על ממונו והאי מימר אמר אי אזילנא קאי לאפאי ולא שביק לי ואי קאי לאפאי קטילנא ליה והתורה אמרה אם בא להורגך השכם להורגו

Sanhedrin 72a:4

GEMARA: Rava says: What is the reason for this halakha [law] concerning a burglar who breaks into a house? He explains: There is a presumption that a person does not restrain himself when faced with losing his money, and therefore this burglar must have said to himself: If I go in and the owner sees me, he will rise against me and not allow me to steal from him, and if he rises against me, I will kill him. And the Torah stated a principle: If someone comes to kill you, rise and kill him first.

According to this passage from the Talmud, under what circumstances may you kill someone? How might this relate to the right to bear arms?

עבודה זרה ט"ו ב:ל"ב

אין מוכרין להם לא זיין ולא כלי זיין ואין משחזיזין להן את הזיין ואין מוכרין להן לא סדן ולא קולרין ולא כבלים ולא שלשלאות של ברזל אחד עובד כוכבים ואחד כותי

Avodah Zarah 15b:10

One should not sell them either weapons or accessories of weapons, nor should one sharpen any weapon for them, nor may one sell them either stocks or neck-chains or ropes, or iron chains — neither to idolaters nor Samaritans [a rival group to the Israelites].

The Talmud does not forbid weapons, but it does forbid selling weapons and their accessories to certain groups of people ("neither to idolaters nor Samaritans"). How might this relate to gun control today? What might be considered "accessories" today?

דברים כ"ב:ח'

(ח) כִּי תִבְנֶה בַּיִת חֲדָשׁ וְעָשִׂיתָ מַעְקֵה לְגַגְּךָ וְלֹא־תִשִּׂים דְּמַיִם בְּבֵיתְךָ כִּי־יִפֹּל הַנֶּפֶל מִמֶּנּוּ: (ט)

Deuteronomy 22:8

(8) When you build a new house, you shall make a railing for your roof, so that you do not bring blood on your house if anyone should fall from it.

בבא קמא מ"ו א:ה'

ר' נתן אומר מניין שלא יגדל אדם כלב רע בתוך ביתו ואל יעמיד סולם רעוע בתוך ביתו שנאמר (דברים כב, ח) ולא תשים דמים בביתך:

Bava Kamma 46a:5

Rabbi Natan says: From where is it derived that one may not raise a vicious dog in his house, and that one may not set up an unstable ladder in his house? As it is stated: "You shall not bring blood on your house"(Deuteronomy 22:8), which means that one may not allow a hazardous situation to remain in his house.

How would you relate the Torah's principle of "you shall not bring blood on your house" to guns in a home today?

Please note the Torah did not forbid the making of flat roofs, dogs, or ladders; it forbade dangerous ones. Do you think this distinction applies to guns? Why or why not?

שבת ס"ג א:ג:ה'

מתני' לא יצא האיש לא בסייף ולא בקשת ולא בתריס ולא באלה ולא ברומח ואם יצא חייב חטאת רבי אליעזר אומר תכשיטין הן לו וחכ"א אינן אלא לגנאי שנאמר (ישעיהו ב, ד) וכתתו חרבותם לאתים וחניתותיהם למזמרות ולא ישא גוי אל גוי חרב ולא ילמדו עוד מלחמה.

Shabbat 63a:3-5

MISHNA: A man may neither go out on Shabbat with a sword, nor with a bow, nor with a shield [teris], nor with an alla, nor with a spear. And if he unwittingly went out with one of these weapons to the public domain he is liable to bring a sin-offering. Rabbi Eliezer says: These weapons are ornaments for him; just as a man is permitted to go out into the public domain with other ornaments, he is permitted to go out with weapons. **And the Rabbis say: They are nothing other than reprehensible and in the future they will be eliminated, as it is written: "And they shall beat their swords into plowshares and their spears into pruning hooks; nation will not raise sword against nation, neither will they learn war anymore"** (Isaiah 2:4).

According to this passage, what is the general attitude of the majority of Rabbis towards weapons? Why?