

Jewish aspects on Moral  
Injury: what are some of the key  
issues?  
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**What is Moral Injury? (Rita Nakashima Brock, 2017).**

“Moral injury is the trauma of moral conscience, when harm cannot be amended, and empathy yields only pain and self-condemnation. Moral emotions, such as guilt, shame, remorse, and outrage at others, result in broken trust, poor health, social isolation, and, in extreme cases, suicide or violence.

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## Continuation of Nakashima Brock's definition of Moral injury.

**Moral injury means the existing core moral foundations or faith of a person or group are unable to justify, make sense of, and integrate traumatic experiences into a reliable personal identity that enables relationships and human flourishing. Like a missing limb, it is not a reversible injury, so survival is a process of learning to live with an experience that cannot be forgotten."**

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## What are the heads of (compensable) injury?

1. Nezeq (physical /Damage;
2. Tzaar (pain), 3. Ripui (Recovery costs, medical bills), 4. Shevet (loss of earnings) and 5. Bosheth (shame).

*Source: Civil Code in the Pentateuchal book of Exodus  
(Chapters 21-24, cf. 21:19 year and day rule)*

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## A Head of Injury relevant to Moral Injury

Busha: **Shame**, as a symptom of moral injury, and its special significance in Near and Middle Eastern culture.

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A question to test the moral position of society in which we live

In the society in which you live, or which raised you, is / has **shame** / been, evidence of guilt or is it a symptom of injury?

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## Harm caused by Moral Injury; includes:

- Shame, remorse and guilt with potentially catastrophic consequences for the sufferer;
- Such harm as cannot be amended, and empathy with it causes only more pain.

### Question:

- If empathising is not helpful, is there a reparative approach to assist healing while recognising the harm caused by the suffering actor,? (e.g. someone who made a policy decision under pressure to end a life, or someone who obeyed a line manager or commander to inflict suffering or death on another)

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## Theologically, what can we suggest in discussion on healing suffering from moral injury, as a possible model for / towards treatment?

Legal approach to determining who really is to blame:

**Causation:** “yad” – based on who has agency, or not in the carrying out of an act, and the resulting legal liability vs moral culpability for an act;

**Refuat / Tikkun HaNefesh:** Healing / setting right the mind; the spiritual impetus to heal (not necessarily reconcile) the mind or conscience as it relates to sin.

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## David Luban, 2019 (Georgetown University)

“...when an injury is truly moral, it needs to be treated morally, not only therapeutically...involve? There is no one-size-fits-all answer because moral injuries can take many forms...” How to deal with all this? One worthy goal of professionals who work with morally injured warriors is to help them attain self-forgiveness and self-empathy.

*The Three Faces of Moral Injury: Pain, Loss of Functionality, Disfigurement, by David Luban. McCain Conference on Moral Virtue and Moral Injury, March 29, 2019*

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## Luban, 2019 cont.

The tack I want to take is a little different. It starts from a fundamental moral proposition: forgiveness without atonement is cheap forgiveness. What these morally wounded warriors need in order to forgive themselves is to atone for the wrong they did, or else come to understand and internalize why they have nothing to atone for.

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## Luban, 2019, cont. a Jewish approach

Jews speak rather of “atonement” – not making the sin disappear, but trying to cover it over by making it right. The Hebrew word **kippur** derives from the word “cover.” [*kapporeth, the lid or cover on the holy ark in the sanctum sanctorum*] I propose that atonement, not absolution, is the right model for moral injury. The mental health professionals who work with morally injured soldiers agree that in many cases the moral injuries are never going to go away.”

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A short Biblical Analysis of atonement and of moral guilt (Key words)

***LeChaper al Nafshoteychem***

***LeChasot*** – Re Abimelech and Sarah –

***Kesut enayim*** – to

see an act through another lens, one which take account of the spiritual wrong

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## Reading One: Abimelech and Abraham (Genesis 20:5-6)

**Abimelech – BeTom Levavi uveNikayon Kapai asistizot  
God replies otherwise.**

Did he not say to me, ‘She is my sister,’ and didn’t she also say, ‘He is my brother’? **I have done this with a clear conscience and clean hands.”**

Then God said to him in the dream, “Yes, I know you did this **with a clear conscience**, and so I have kept you from sinning against me. That is why I did not let you touch her. 7 Now return the man’s wife,

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Abimelech: moral injury sufferer?

Abimelech struggles with his moral culpability of having taken Abraham’s wife by declaring himself innocent AND clean of hands.

God begs to differ. He maintains that Abimelech is innocent, yet not clean of hands.

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## Conclusion 1

It is possible to be innocent of a crime and yet still carry the spiritual “can” for an act which lacked a premeditated intention to do harm.

There are degrees of innocence which may fall short of criminal culpability, yet nonetheless carry with, and due to the act, a moral burden.

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## Moses

Let us now turn to another Biblical example: Moses. Moses is known to the world as the Lawgiver of Israel; a prophet, a prince in Egypt, a warrior; a teacher of God’s word and Master of the future conqueror of the Promised Land, Joshua.

Yet, Moses is described as a murderer, for having killed an Egyptian taskmaster whilst beating a Hebrew slave to an inch of his life.

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## Moses, debarred from priesthood: Exodus Chapter 2:11-15

- When Pharaoh heard what Moses had done, he tried to have him killed. But Moses fled from Pharaoh and settled in the land of Midian. Moses did not face the wrath of the Pharaoh. Instead, he fled and dwelled in Midian for over two decades. This passage highlights the fear which assailed Moses when he realised that his act was not only noticed but had created a reputation as a killer.
- Jewish exegetical texts (midrashim) go a lot further than seeing Moses's flight into the desert as the sum of his moral culpability. **Midrash Petirath Moshe Rabbenu** posits that Moses was prevented from entering the Promised Land because he had killed the Egyptian, and that he and his descendants were debarred from serving in the priesthood; only Aaron's line could.

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## Remedy: rehabilitation and atonement for the killer (Cities of Refuge, Exodus 21:13)

***13 And if a man lie not in wait, but God deliver him into his hand; then I will appoint thee a place whither he shall flee.***

Moses appears to have excluded the killing of a slave taskmaster in the act of beating a slave from criminal, but not moral culpability.

Atonement, **Kapparah**, is the purpose of this "exile" and thereby, escaping the wrath of blood feud. The idea of atoning in a refuge is implied by the passage in Numbers which requires a refugee to such a town to wait there until the death of the High Priest of that town. The Aaronic High Priest is needed to ensure expiation of the Mosaic moral crime of murder.

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## Conclusion 2:

In the search for examples of morally injurious acts, or acts which carry moral guilt even if they do not bear criminal culpability, one begins to wonder whether through analyses of moral crises, the Torah and later the Prophets suggest ways of addressing such moral guilt.

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## Conclusion 2, cont.

These ways may include confirmation of a guilty or violent act or acts as part of a road to recovery for a suffering actor; what it is not, in Judaism, is sweeping away, or, as Luban puts it, absolving guilt, but rather atoning for its effect, even for the most innocent of actors: because they are suffering.

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TODAH RABBAH – THANK YOU!

Any questions?

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