

The obligation to help others and the bystander effect



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Duty to Rescue

Have you heard of the bystander effect? The term was popularized in 1964, after the infamous murder of Kitty Genovese. The 28-year-old woman was stabbed to death in New York and neighbors did not step in to help or even call the police. The bystander effect has been described in *Psychology Today* as when “ the presence of others discourages an individual from intervening in an emergency situation.” Throughout history there have been many examples of humans choosing not to help others who are in danger. In fact, many people even find it troublesome to help those in danger. While it could be frightening to help a person in need, humans have both a legal and moral responsibility to help those who are in danger.

There is no law in the United States forcing a common citizen to help someone in danger, however, duty to rescue is a common concept which describes a circumstance where a person can be held liable for not helping another person who could be harmed if they are not rescued. In most countries, this duty is not actually a law which would punish people who fail to rescue. Yet several European countries do have such laws, according to a news article in *Global news*, in Germany “ a party can be held liable for failing to help another person in danger. At a minimum, bystanders are required to call emergency officials when they witness a person in distress.” Germans convicted of the law have received big fines for not helping. The duty to rescue law is different from the good Samaritan law, which protects those who try to help in an emergency situation from being sued. Germany has gone even further, they require anyone who wants a driver’s license to know both first aid and CPR. Law professor Sterling Silver suggests laws like this

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one and other duty to help laws “ would require us to accept our fundamental moral duty to help those in grave peril.” Continuing the discussion on the atrocities suffered by humans throughout history and the moral obligations of citizens to help those in danger, will go a long way in creating a society willing to help those in need.

The Holocaust is one of the most notorious examples of humans not living up to their moral obligation to help people in danger. When we neglect our moral duty to help a person in danger, we not only run the risk of harming the person in need, but also ourselves. In his speech, *The Perils of Indifference*, Holocaust survivor Elie Weisel states, “ Not to respond to their plight, not to relieve their solitude by offering them a spark of hope is to exile them from human memory. And in denying their humanity, we betray our own.” Weisel is describing the idea that when we do not help others in need, we are making ourselves less human. We are denying ourselves the basic human characteristics of compassion, altruism, and spirituality. Weisel describes how his experiences in the concentration camps not only killed his spirit, but also killed his belief in a higher power. “ Never shall I forget those moments that murdered my God and my soul and turned my dreams to ashes. Never shall I forget those things, even were I condemned to live as long as God Himself. Never.” (Weisel, *Night* , 74-75) When terrible things are allowed to happen to us, we turn our backs on humanity and God, a God who we believe should never have allowed such atrocities to occur. We question how a righteous God could not send someone to help. Weisel describes the erosion of humanity in himself while a prisoner in the concentration camps, “ I stood petrified. What had happened to me? My father had just been struck,

in front of me, and I had not even blinked. I had watched and kept silent. Only yesterday, I would have dug my nails into this criminal's flesh. Had I changed that much? So fast? Remorse began to gnaw at me. All I could think was: I shall never forgive them for this." (Weisel, *Night* , 118-119) When we allow awful things to happen to another person we lose our humanity and eventually will feel a deep sense of regret knowing we could have done something more.

Many would argue that you should not help someone in danger. Helping others will only put yourself in danger, or can make the situation worse. It can be very scary to get yourself involved in other people's problems. Weisel described getting whipped for wandering around the workshop. Everyone witnessed him being attacked and did nothing at all in fear of the same consequence happening to them. " Lie down on it! On your belly! I obeyed. I no longer felt anything except the lashes of the whip." (Weisel, *Night* , page #) Caring about other people is difficult, especially when we are afraid for ourselves. During the Holocaust, it was indifference and blind obedience which allowed the genocide of millions of humans. When we allow ourselves to not think about or look at the misery of others, we are freed from the moral obligation of helping and allow ourselves to be saved from both the guilt and the potential danger. Elie Weisel describes the lure of indifference,

Of course, indifference can be tempting—more than that, seductive. It is so much easier to look away from victims. It is so much easier to avoid such rude interruptions to our work, our dreams, our hopes. It is, after all, awkward, troublesome, to be involved in another person's pain and despair.

Yet, for the person who is indifferent, his or her neighbors are of no
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consequence. And, therefore, their lives are meaningless. Their hidden or even visible anguish is of no interest. Indifference reduces the Other to an abstraction. (Weisel, *Perils* , 28-35)

Fortunately there is hope. It is believed that reports of the failure of bystanders to act have been overstated. In the case of Kitty Genovese, it was originally reported that 38 witnesses to her brutal attack did nothing, however a comprehensive report written 4 decades later stated, “ None saw the attack in its entirety. Only a few had glimpsed parts of it, or recognized the cries for help... And afterward, two people did call the police. A 70-year-old woman ventured out and cradled the dying victim in her arms until they arrived.” (Dunlap)

When we consider whether or not a person should be obligated to help others who are in danger, the answer is clearly yes, humans do have both a legal and moral responsibility to help others, even if they are frightened of the consequences. Laws can be instituted to help preserve our humanity and some countries have seen the benefit of these laws, however, continuing to talk about the need of humans to help each other can benefit too. Discussing the Holocaust is a not-so-gentle reminder of the negative consequences of indifference. When people become indifferent to the brutality of others, when they allow the action to continue, their inaction becomes a silent endorsement of the evil. Compassion and a desire to help others is what makes us human. When we no longer live by a moral compass we are no longer human, we are animals.

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