



**Necessary War, Voluntary War:
How Do We Know What's Worth the Fight?**

Deuteronomy 20: 10-20	דברים פרק כ
<p>10. When you approach a town to attack it, you shall offer it terms of peace. 11. If it responds peaceably and lets you in, all of the people present there shall serve you at forced labor. 12. If it does not surrender to you, but would join in battle with you, you shall lay siege to it. 13. And when Hashem your God delivers it into your hand, you shall put all its males to the sword 14. You may, however, take the woman as booty, the children, the livestock, and everything in the town-- all its spoil-- and enjoy the use of the spoil of your enemy, which Hashem your God gives you. 15. Thus you shall deal with all towns that life very far from you, towns that do not belong to nations hereabout. 16. In the towns of the latter people, however, which Hashem your God is giving you as a heritage, you shall not let a soul remain alive. 17. No, you must proscribe them-- the Hittites and the Amorites, the Canaanites and the Perizzites, the Hivites and the Jebusites-- as Hashem your God has commanded you 18. Lest they lead you into doing all the abhorrent things that they have done for their gods and you stand guilty before Hashem your God. 19. When in your war against a city you have to besiege it a long time in order to capture it, you must not destroy its trees, wielding the ax against them. You may eat of them, but you must not cut them down. Are trees of the field human to withdraw before you into a besieged city?</p>	<p>(י) כי תקרב אל עיר להלחם עליה וקראת אליה לשלום: (יא) והיה אם שלום תענג ופתחה לך והיה כל העם הנמצא בה יהיו לך למס ועבדוך: (יב) ואם לא תשלים עמך ועשתה עמך מלחמה וצרת עליה: (יג) ונתנה יקוק אלהיך בידך והכית את כל זכורה לפי חרב: (יד) רק הנשים והטף והבהמה וכל אשר יהיה בעיר כל שללה תבו לך ואכלת את שלל איביר אשר נתן יקוק אלהיך לך: (טו) כן תעשה לכל הערים הרחוקות ממך מאד אשר לא מערי הגוים האלה הנה: (טז) רק מערי העמים האלה אשר יקוק אלהיך נתן לך נחלה לא תחיה כל נשמה (יז) כי החרם תחרימם החתי והאמרי הכנעני והפרזי החוי והיבוסים כאשר צוך יקוק אלהיך: (יח) למען אשר לא ילמדו אתכם לעשות ככל תועבתם אשר עשו לאלהיהם וחסאתם ליקוק אלהיכם: ס (יט) כי תצור אל עיר ימים רבים להלחם עליה לתפשה לא תשחית את עצה לנדח עליו גרזן כי ממנו תאכל ואתו לא תקרת כי האדם עץ השדה לבא מפניך במצור:</p>

- What standards does this passage lay out for going to war? How do you understand the difference between optional war and mandatory war? Can those differences justify differences in tactics?
- How do these commandments apply to us today, if at all?
- Is there a standard set for ethical warfare?

Rashi on Deuteronomy 20:10	רש"י דברים פרק כ
When you approach a town: The Torah is talking about a war of choice.	כי תקרב אל עיר - במלחמת הרשות הכתוב מדבר

Ramban on Deuteronomy 20:10	רמב"ן דברים פרק כ
When you approach a town: ...And the intention of our Rabbis with this verse is only to say that the later part [of this section] is to differentiate between the two types of war. However, the terms of peace are even for the commanded wars, because you are obligated to offer peace even to the seven nations [where war is commanded.] Thus, Moshe offered peace to Sichon, the king of the Amorites, and he was not guilty of transgressing a positive commandment or a negative commandment from this section: "but you shall utterly destroy them," and "you shall not allow a single soul to live."	<p>והכונה לרבותינו בכתוב הזה, אינה אלא לומר שהפרשה בסופה תחלק בין שתי המלחמות, אבל קריאת השלום אפילו במלחמת מצוה היא, שחייבים לקרא לשלום אפילו לשבעה עממים, שהרי משה קרא לשלום לסיחון מלך האמורי, ולא היה עובר על עשה ועל לא תעשה שבפרשה, כי החרם תחרימם (פסוק יז) ולא תחיה כל נשמה</p>

- What do you think is at the root of the dispute between Rashi and Ramban?
- Who is creating a more just view of warfare?
- How is the idea of the Seven Nations tied into assumptions about who will pursue peace? Do we make any similar generalizations in our culture today?

Mishnah Sanhedrin 1:5	
You cannot go out to an optional war, except with the permission of a Beit Din of 71.	אין מוציאין למלחמת הרשות, אלא על פי בית דין של שבעים ואחד

Rashi on Sanhedrin 2a	
In an optional war: Every war is called optional except for the war of Joshua, which was to conquer the land of Israel.	במלחמת הרשות - כל מלחמה קרי רשות לבד ממלחמת יהושע, שהיתה לכבוש את ארץ ישראל

Talmud Yerushalmi, Sotah 8:10	
The rabbis said, the sanctified war is the war of David. The obligatory war is the war of Joshua. R. Yehuda called the optional war the war in which we attacked them. The obligatory war is the one where they attacked us.	רבנין אמרין מלחמת מצוה זו מלחמת דוד מלחמ' חובה זו מלחמת יהושע. רבי יהודה היה קורא מלחמת רשות כגון אנן דאזלין עליהון. מלחמת חובה כגון דאתיין אינון עלינן

Rambam, Laws of Kings and Their Wars, 6:3-4	רמב"ם הלכות מלכים פרק ו
Law 3: It is forbidden to lie in the covenant [with the other nation] or to be untruthful with them after they have made peace and accepted the Seven Mitzvot [the Noachide Commandments which apply to non-Jews.]	<p>הלכה ג ואסור לשקר בבריתם ולכזב להם אחר שהשלימו וקבלו שבע מצות. הלכה ד ואם לא השלימו או שהשלימו ולא קבלו שבע מצות, עושין עמהם מלחמה והורגין כל הזכרים הגדולים,</p>

Law 4: If they do not make peace or do not accept the Seven Mitzvot, make war with them and kill all of their male adults. Their money and their children should be taken as spoil, but do not kill either their women or their children, as it is written, "and the women and the children... take as spoil." In what cases does this apply? To the optional war with the other nations. However, for the Seven Nations or Amalek, you should not leave a single soul alive...

ובחזין כל ממונם וטפם, ואין הורגין אשה ולא קטן שנאמר והנשים והטף זה טף של זכרים, במה דברים אמורים במלחמת הרשות שהוא עם שאר האומות, אבל שבעה עממין ועמלק שלא השלימו אין מניחין מהם

- In what ways do the rabbis try to limit the idea of obligatory war? Where do you think this instinct comes from?
- Why is there such a premium put on finding a peaceful solution? How is this related to R. Yehuda's definitions of obligatory and optional war in the Yerushalmi?
- What limits are put on the process of waging war? Are those limits sufficient?

Rambam, Laws of Kings and Their Wars, 12: 5

רמב"ם הלכות מלכים פרק יב

And in that time [the Messianic era], there will not be any famine or any war, no envy or competition, because good will flow in abundance, and all of the delights will be as dust. And the whole world will have no occupation other than to know God.

ובאותו הזמן לא יהיה שם לא רעב ולא מלחמה, ולא קנאה ותחרות, שהטובה תהיה מושפעת הרבה, וכל המעדנים מצויין כעפר, ולא יהיה עסק כל העולם אלא לדעת את ה' בלבד

Rabbi Abraham Joshua Heschel, "The Meaning of this War," 1943

Let Fascism not serve as an alibi for our conscience. We have failed to fight for right, for justice, for goodness; as a result we must fight against wrong, against injustice, against evil. We have failed to offer sacrifices on the altar of peace; now we must offer sacrifices on the altar of war.

Indeed, where were we when men learned to hate in the days of starvation? When raving madmen were sowing wrath in the hearts of the unemployed?

Tanks and planes cannot redeem humanity. A man with a gun is like a beast without a gun. The killing of snakes will save us for the moment, but not forever. The war will outlast the victory of arms if we fail to conquer the infamy of the soul: the indifference to crime, when committed against others.

God will return to us when we are willing to let Him in-- into our banks and factories, into our Congress and clubs, into our homes and theaters.

- What visions do Rambam and Heschel put forward?
- How do we know when war is necessary to achieve real peace?
- How can we harmonize the values of both fighting for justice and seeking peace when they seem to conflict?