

Peace and War

Our Parasha discusses the issue of war, and reveals that war is only undertaken as a last resort. The Torah proclaims, "When you come close to a city to fight against it, then proclaim peace unto it" (20:10). Rashi maintains that this pasuk only applies to a Milchemet Reshut, an optional war. Therefore, in conclusion of this pasuk, the Torah states, "thus shall you do [to seek peace] to all the cities which are very far, which are not the cities of these [seven] nations (20:15). But regarding the conquest of the seven K'naanite nations, which is an obligatory war, no peace overtures are to be made.

Not so the Ramban. He insists that even Milchemet Chova, obligatory war, or defensive war, which are also referred to as Milchemet Mitzvah, also requires a gesture of peace before initiating the battle. After all, Yehoshua offered peace to the seven K'naanite nations, nations whom we were obligated to confront militarily. Ramban adds, that even these seven nations, if they would renounce their evil ways and abide by basic ethical principles, they would be allowed to remain in land and live side by side with us.

Ramban is teaching us, that even when it comes to conquering the land, there is a perpetual quest for peace. This position has been echoed in the State of Israel's relationship with its neighbors. Israel has always reached out to make peace and gone to war only when absolutely necessary. This is reflected in the pledge taken by soldiers as they are conscripted into the army. They commit themselves to what is called "Tihur Ha'Neshek" Purity of Arms. This proclamation recognizes the necessity of self defense, but insists that war, if necessary, can be conducted with a sense of purity, a sense of ethics, and with the spirit of a longing for peace, the true spirit of Torah.

However, all this applies when we face a nation with a government that also abides the ethical rules of warfare. But when we are confronted by an organization of terrorists and murderers, such as Hamas and PLO, who are determined to kill every Israeli male, female and child indiscriminately, then our tactics must change as well. To these people the Torah states, "you shall not allow any person to live, rather you shall utterly destroy them" (20:16-17).

When dealing with such a callous and cruel terrorist organization that uses its own citizens as human shields, we have no choice but to strike back with force and determination. Yes, we must try to as much as possible to wage a moral war; BUT THE HIGHEST MORALITY IS NEVER TO ALLOW-IMMORALITY TO TRIUMPH.

As is written in Kohelet Rabbah (7:36), "Those who are compassionate to the cruel will end up being cruel to the compassionate".

Shabbat Shalom from Yerushalayim

Rabbi Aharon Ziegler

QUESTIONS ON PARASHAT SHOFTIM:

1-"Tzedek"," tzedek" shall you pursue 16:20. What does the double expression come to teach us?. There are several answers to this, but any one answer is acceptable.

2-When a person is sentenced to a death penalty by the Sanhedrin, who are the executioners?

3-How can we recite a Bracha which states, "Blessed are You HaShem, who commanded us to perform this Mitzvah" , on a Mitzvah which the Rabbis commanded us to do, Like Ner Shabbat , or Ner Chanukah?

4- There are 4 category's of exemptions for a soldier to be excused from battle in a Milchemet Reshut. (In a Milchemet Mitzvah-such as when we are being attacked, there are NO exemptions). Can you find 3 or all 4 of them?

5-What did a Jewish king in Israel have to carry with him all day and night, at all times?

6-"Baal Tash'chit"- forbids us to wantonly destroy things. Where in our parasha do we find such a concept?

7-If 5 witnesses testify that Mr. X did such and such, and 2 witnesses testify that he did not do it. How would the judges rule?