

Jewish Contemporary Ethics Part 31: Ethical Issues in Tanach 9: War

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War is horrific. In a 2003 New York Times article, journalist Chris Hedges estimated that only 268 (8%) of the past 3,400 years of human history have been peaceful, with wars claiming the lives of at least 108 million people in

the 20th century alone – equivalent to almost 300 people per day. Whilst once seen as glorious and patriotic, today most people question the cost suffered and harm inflicted by human conflict.

The advent and cultivation of international law and global conventions, together with institutions such as the United Nations, are at least an attempt to foster a spirit of reconciliation, sanction belligerent nations and forge a brighter, more peaceful future, even if this is not always successful. Whilst there may be an ethical case for war in order to depose tyrannical dictators and protect innocent people from harm, it is increasingly difficult to marshal public support for such campaigns.

The utopian vision of world peace and universal brotherhood was first articulated by our prophets, such as Yeshaya (Isaiah), who describes how in Messianic times the nations “shall beat their swords into ploughshares, and their spears into pruning hooks; one nation will not raise up sword against another, and they will no longer study war” (Yeshaya 2:4) and that “a wolf shall live with a lamb, and a leopard shall lie with a kid” (ibid. 11:6).

Yet the Torah and Books of the Prophets contain many stories of the Jewish nation waging Divinely sanctioned wars against their enemies. Of course, there is a strong halachic and moral case for defensive wars and even defensive pre-emptive strikes are considered “not only

legitimate but mandatory” (see Rabbi Professor J David Bleich, *Contemporary Halakhic Problems* Volume 3 Chapter 11).

It must also be noted that Talmudic law constrains the decision-making powers necessary for military action to be taken, in order to prevent a hawkish or bellicose monarch committing to war of his own volition. Before going to war, the king must receive approval from the 71 sages of the highest Jewish legal court, known as the Sanhedrin (Talmud Sanhedrin 2a). The Kohen Gadol (High Priest) must also seek Divine approval via the *urim v'Tumim* contained in his breastplate (Shemot 28:30).

In addition, halacha imposes strict rules of engagement. The Torah explicitly states that before engaging in battle, the enemy should be offered the opportunity to make a peaceful settlement or flee (Devarim 20:10). When besieging a city, it is forbidden to surround it on all four sides, in order to allow the enemy the chance to escape (Bemidbar 31:7).

On the one hand we see the Torah’s reluctance for Israel to fight wars. On the other hand God does command the Jewish people to wage war against the seven Canaanite nations in order to capture the Promised Land and bring it under Jewish control. We are also commanded to eradicate the tribe of Amalek including men, women and children. The next article will discuss the reasons for this.

