

Shoftim September 10, 2016

יְפִי תִקְרַב אֶל עִיר לְהִלָּחֵם עָלֶיהָ וְקִרְאתָ אֶלֶיהָ לְשָׁלוֹם

Deuteronomy 20:10 *When you approach a city to wage war against it, you shall propose peace to it.*



The Israel Defense Force's commitment to democratic and humane values is a reflection of Jewish ideals regarding humanity, pluralistic principles, and United Nations guidelines. One section of this week's portion, Deut. Chapter 20, directs that the first strategy of any military offensive should always be an attempt to make peace. However, the surrounding context reveals that this is only in cases of "ordinary war." Siege warfare and Holy War are two additional, distinct biblical categories of military action outlined in this week's portion. For many, these directives attributed to G-d are very problematic. Instead of depicting G-d as compassionate and humane, these verses portray a brutal, ruthless Divine presence on earth.

Modern commentators believe these verses are additions appended several generations after the Israelites returned to Canaan in the 5th century BCE, after the destruction of the first temple. Thus this passage can be interpreted as a criticism of the need for Jewish life to safeguard against Canaanite practices. Additionally, the directives reflect what may have been normative behavior between feuding clans during biblical times. According to the preeminent 20th Century Jewish commentator W. Gunther Plaut, "A proper understanding, then, would be to view these passages as [projections into the past] of what could and might have been, and the sentiments were acceptable in view of the common practices of the times."

Today, military protocol demands strict ethics education for every young person when they begin their mandatory service in the Israel Defense Forces. This IDF Code of Ethics was adopted in 1992 to reflect the core Jewish value that teach every life is sacred. The IDF Code of Ethics contain the following statements:

Human Life – The IDF servicemen and women will act in a judicious and safe manner in all they do, out of recognition of the supreme value of human life. During combat they will endanger themselves and their comrades only to the extent required to carry out their mission.

Purity of Arms – The IDF servicemen and women will use their weapons and force only for the purpose of their mission, only to the necessary extent and will maintain their humanity even during combat. IDF soldiers will not use their weapons and force to harm human beings who are not combatants or prisoners of war, and will do all in their power to avoid causing harm to their lives, bodies, dignity and property.

In his master's theses, "Mandatory War in the State of Israel and The IDF Code of Ethics," Michael Fine writes, "Following written instructions, as well as verbal ones, each soldier must adhere to procedures that facilitate care for human life and dictate careful steps of conduct with potential killers. This is called, 'Conduct of Suspicious Arrest.'" Fine concludes that because multiple IDF officers, in individual, separate interviews consistently reported this procedure, it is clearly an established teaching from the commander during the training entitled "Conduct during Ground Force."

Israel must balance its absolute need to protect its citizens with concern for non-combatants caught in the crossfire of conflicts over disputed land. Much discussion and debate arises whenever innocent people suffer in the wake of land or air strikes take place in Gaza, the West Bank, or across national borders. It is a complicated issue. The IDF faces particular challenges when the enemy hides warheads and ammunition, as well as bases for rocket launching, in public institutions such as schools, mosques, and hospitals. Civilian losses become increasingly more difficult to avoid due to this type of intentional strategy. These seemingly irreconcilable circumstances drive heated debate and acrimony between supporters and detractors of military strategies regarding what is a proper measure, or the often-used phrase, "proportional response."

The rules that govern military ethics have been clear since the establishment of the State of Israel. The official mission statement of the IDF, drafted in 1948, after David Ben Gurion formed the Israel Defense Forces from both the paramilitary Haganah as well as militant groups Irgun and Lehi, reads,

To defend the existence, territorial integrity and sovereignty of the state of Israel. To protect the inhabitants of Israel and to combat all forms of terrorism which threaten daily life.

The reason for Israel to take defensive military action seems obvious. Weighing the ethics of actual strategies used to protect the land and its people can be a very challenging task.

Discussion Questions:

In what instance is it justifiable for Israel to engage in war? Taking into consideration the mission of the IDF, are there measures that can be pursued to ensure security in the hopes of avoiding all out war?

In light of the tactics of Hamas and Hezbollah along with condemnation of the apparent disproportionality of the IDF response, are there any alternatives to the actions of the IDF? What is a "proportional response" when one's citizens and civilians are the targets of attack?

What is a "Just War?"

Additional Resources:

[IDF Ethics Code](#)

Gili Cohen, [Author of IDF ethics Code: Show Compassion as Long as it Doesn't Risk Israelis](#), *Ha'aretz*, October 7, 2014.

Michael Fine [Mandatory War in the State of Israel & The IDF Code of Ethics Summer](#), June 2012.

Moshe Halbertal, [War and Ethics in the IDF Ethical Code](#), December 3, 2008.

Asa Kasher, "[A Moral Evaluation of the Gaza War: Operation Cast Lead](#)," Jerusalem Center for Public Affairs 9:18 (4 February 2010); view a [YouTube](#) link for a discussion on the topic.

Shmule Rosner and Brigadier General Michael Herzog, [Jewish Values and Israel's Use of Force in Armed Conflict- Perspectives from World Jewry](#)," Jewish People Policy Institute, 2015.