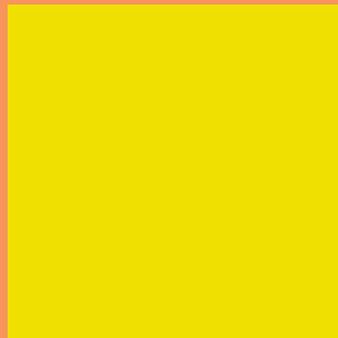


4



WHEN ENCOUNTER BECOMES
CONFLICT: JUST WAR AND
JUST PEACE

MODULE FOUR

WHEN ENCOUNTER BECOMES CONFLICT: JUST WAR AND JUST PEACE

4.1 A STORY



Figure 4.1
The Video Clip

A school trip brings Ariella to a war museum. Struck by the tragedy of war, she gets lost in the museum. There she encounters a mysterious Jewish janitor. Together they discuss the Jewish tradition of war.

4.2 HOLY WAR OR PACIFISM

Speaking of war and peace is nothing new. Speaking of war and peace is also strongly present in the Jewish tradition. In particular, war and peace both appear in the Torah. On the one hand, the Torah emphasizes the absolute importance of peace and harmony between and within all peoples. The word 'shalom,' which includes the meaning of 'peace,' is a central example of this. On the other hand, the Torah also contains many stories of war. These two sides have their own theory: pacifism on the one hand, and Holy War on the other.

1. Pacifism is an attitude or doctrine that seeks peace and disapproves of the use of force to resolve conflicts (between nations).

Political power building is out of the question. According to this doctrine, for example, a country cannot introduce military service. Judaism is not pacifist because there is a lot of violence in the Torah. Harmony, peace and justice are important concepts in Judaism, however. Pacifism also raises many questions of interest to Judaism. How do we handle violent passages? Can pacifism inspire? Throughout history, Judaism has often prioritized indulgence and passivity. Can we see those values as pacifist? And at the same time, we can ask the critical question: is pacifism always something positive? Isn't self-defense, for example, just?

2. Holy War is a form of collective violence authorized or commanded by G-d. In the Torah we find many violent passages.

Joshua is commanded to conquer the Promised Land, with great violence. There is also the war against Amalek. King David, in turn, is known for his expansionist wars against the Arameans. Many of the wars, such as Joshua's War of Conquest, were commanded by G-d. The reading of the book of Esther, in which the Jews commit mass murder, is the central event of the Purim festival. The Torah also describes G-d as a warrior, and the human warriors (Joshua, David, Esther, etc.) are depicted as heroes. Violence in the name of G-d is thus a common theme in Judaism. Judaism has its own history with the phenomenon of Holy War.

ASSIGNMENT. Reflect on the concepts of “pacifism” and “holy war”.

Describe pacifism in your own words.

Would you describe Judaism as ‘pacifist’? Why yes/no?

Are there pacifist ideas in Judaism?

Holy War means collective violence in the name of g-d. What is your opinion of Holy War? Is Holy War just?

Do you think Holy War also exists within Judaism?

ASSIGNMENT. Choose a statement from the following list with which you most identify. Explain why.

- “War is never just.”
- “Peace can only exist alongside war.”
- “Never do anything in a war that makes reconciliation impossible afterwards.”
- “A world without violence is not realistic.”
- “Violence begins or ends with yourself.”
- “Even in times of peace, it is important for a country to invest in weapons.”
- “Risking your own life for a stranger in another country is useless.”



Figure 4.2
Source: © Syda Productions
Adobe Stock

4.3 WAR IN THE TORAH

A theory of war that tries to limit damage and suffering as much possible is called a **Just War-theory**. Such a theory establishes rules that regulate the beginning, course, and end of a war. The purpose of these rules is to make war as just as possible. Within the Jewish tradition we find no extensive Just War theory.

We are thus limited in our discussion of war. In the Torah we find a text from the book of Deuteronomy that discusses warfare. This text is fodder for discussion in the Talmud. We first read the text, and then we discuss how the Talmud further elaborates on it.

DEUTERONOMY 20

[5] “Then the officials will speak to the soldiers. They are to say, ‘Is there a man here who has built a new house, but hasn’t dedicated it yet? He should go back home now; otherwise he may die fighting, and another man will dedicate it. [6] “Is there a man here who has planted a vineyard, but hasn’t yet made use of its fruit? He should go back home; otherwise he may die fighting, and another man will use it. [7] “Is there a man here who is engaged to a woman, but hasn’t married her yet? He should go back home; otherwise he may die fighting, and another man will marry her.’ [8] “The officials will then add to what they have said to the soldiers: ‘Is there a man here who is afraid and fainthearted? He should go back home; otherwise his fear may demoralize his comrades as well.’ [9] When the officials have finished speaking with the soldiers, commanders are to be appointed to lead the army. [10] “When you advance on a town to attack it, first offer it terms for peace. [11] If it accepts the terms for peace and opens its gates to you, then all the people there are to be put to forced labor and work for you. [12] However, if they refuse to make peace with you but prefer to make war against you, you are to put it under siege. [13] When *Adonai* your God hands it over to you, you are to put every male to the sword. [14] However, you are to take as booty for yourself the women, the little ones, the livestock, and everything in the city — all its spoil. Yes, you will feed on your enemies’ spoil, which *Adonai* your God has given you. [15] This is what you are to do to all the towns which are at a great distance from you, which are not the towns of these nations. [16] “As for the towns of these peoples, which *Adonai* your God is giving you as your inheritance, you are not to allow anything that breathes to live. [17] Rather you must destroy them completely — the Hitti, the Emori, the Kena’ani, the P’rizi, the Hivi and the Y’vusi — as *Adonai* your God has ordered you; [18] so that they won’t teach you to follow their abominable practices, which they do for their gods, thus causing you to sin against *Adonai* your God.

Four things emerge from this text:

- 1) A **peace settlement** is mandatory for any attack. Even today, it is still important to prevent as much violence as possible.
- 2) There are **four valid reasons** for deferring military service. Because of these four reasons, a Jew need not go to war. The reasons are: a recently planted vineyard, a recent engagement, a newly built house, and fear. Many countries have mandatory military service. The Torah recognizes that there are exceptions, reasons for deferring military service.
- 3) The **reason for warfare** is to prevent the Jewish people from being affected by the wickedness of the nations with whom they share a territory. The “horrible things they do for their gods” must not be adopted by the Jews.
- 4) The Torah makes a **distinction between cities** that are “at a great distance,” outside the Promised Land, and those that are nearby, in the Promised Land. This distinction has to do with the third point.



Figure 4.3
Source: © Georgiy
Adobe Stock

4.4 WAR IN THE TALMUD

The Mishnah turns to the war passage discussed above, and asks in what case the four reasons for postponing military service are valid. “To what type of war does all this refer?” (Mishnah Sotah 2). The Mishna answers that question by distinguishing between a **commanded war** (*milchemet mitzvah*) and an **optional war** (*milchemet reshut*).

A milchemet mitzvah or commanded war is commanded by G-d. A commanded war is necessary and does not allow for exceptions. Everyone must go to war. According to the Talmud, a commanded war may take place even on Sabbath. **An optional war is discretionary.** This war allows for various reasons for deferments from military service. A discretionary war is still possible, but not the result of a G-dly commandment. The Gemara builds on this distinction. We discuss the Jerusalem Talmud and the Babylonian Talmud separately, because each puts forward its own view.

4.4.1 THE JERUSALEM TALMUD

The Jerusalem Talmud defines a **discretionary war as one that Israel initiates**. Israel is not commanded to attack anyone. And since the Promised Land has already been conquered, further wars serve only to expand the territory. A commanded war is obligatory; everyone must participate in it. According to the Jerusalem Talmud, only the wars of Joshua and defensive wars are commanded.

The Jerusalem Talmud recognizes the right of self-defense. For the ancient Israelites, this meant that since the Promised Land had been conquered, they now had to protect it. In addition, there is an important conclusion that can be drawn from the Jerusalem Talmud. According to the Jerusalem Talmud, only defensive wars and the Wars of Conquest of Joshua were commanded and thus sacred. However, those wars took place thousands of years ago. The Jerusalem Talmud thus seems to state Holy Wars are not possible today.

4.4.2 THE BABYLONIAN TALMUD

The Babylonian Talmud has a different perspective. This perspective became predominant. The Babylonian Talmud agrees with the Jerusalem Talmud on two points: a discretionary war is one that Israel initiates, and the Conquest Wars of Joshua were commanded, obligatory wars. However, the Babylonian Talmud does not mention defensive wars. It does give an additional example of discretionary wars: **David's wars of expansion**. Expansive wars serve only to expand territory, and are thus discretionary. A separate status is given to **preemptive strikes**. A preemptive strike is a military action that aims to first weaken the enemy to prevent a hostile attack. preemptive strikes are a gray area.

Whether they are ordered depends on the degree of certainty with which can be determined that an attack is coming. The Talmud seems to suggest that, if this can be determined, preemptive strikes count as *milchemet mitzvah*.

	Discretionary	Commanded
Mishnah	Deferments	No deferments
Jerusalem Talmud	Israel initiates	Joshua's Wars and defensive wars
Babylonian Talmud	Israel initiates, David's Wars (preemptive strikes)	Joshua's Wars (preemptive strikes)

War in the ancient Near East proceeded differently than today. Optional wars had to be authorized by the Sanhedrin, the Jewish court. In addition, the oracle *Urim VeTumim* had to be consulted (Babylonian Talmud Berakhot 3b, Sanhedrin 16b). Thus, the Jewish people were only allowed to go to war if the Sanhedrin and the oracle allowed it. A leader or king did not have free rein! Today, the Sanhedrin and the oracle no longer exist.

Diaspora communities do not have their own army. Therefore, Jewish discussions of war are usually about the state of Israel. Not every Jew is equally concerned with the state of Israel, but a healthy discussion of war and peace can help us understand the world better. The distinction between commanded and optional wars still matters today, and they help explain why certain wars are important to some Jews. Whether a war of Israel is commanded or optional is a contemporary point of debate. The Talmud gives us food for thought.

ASSIGNMENT. Answer the following questions.

A commanded war

- Is a war ordered by a political leader.
- Allows people to refuse to participate.
- Is commanded by G-d and allows no exceptions.

A discretionary war

- Is a war commanded by G-d
- Is a war at the discretion of G-d
- Is a war that does not allow for deferment of military service

Right or wrong. According to the Talmud, future wars are possible. Please justify your answer.

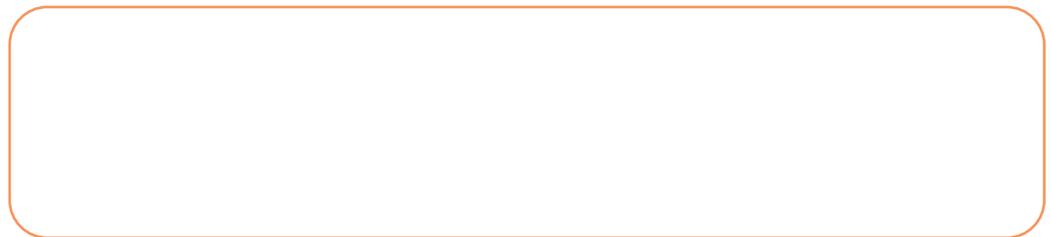
Is the concept of a 'Commanded War' credible? Do you believe in it? Why do/don't you?

Is a preemptive strike justifiable? Why yes/no? In which cases are they?

The Sanhedrin and the oracle Urim VeTumim used to play a major role in the decision to start a war. Who do you think has the right to start a war? The government, a large group of residents, rabbis, ...



The Torah states that if hostile cities do not accept a peace settlement, the male inhabitants may all be killed. In your opinion, are there any rules for how a war may proceed? Or is all violence permitted?



4.5 GLOSSARY

Discretionary

Discretionary refers to the ability to judge or act independently, at your own discretion.

Holy War

A Holy War is a war with a religious motive. A Holy War is sometimes waged because of a Godly obligation, because of a religious position, but also in defense of a holy land.

Righteousness

righteousness has several meanings. First, justice is a legal concept. Whatever is in accordance with the law is just. Second, justice is also a moral concept. To act justly is to act “rightly,” in accordance with what is “good” or “correct. Justice also takes practice: no one naturally does the right or good thing all the time. We encounter this idea often in the Tenach!

Pacifism

Pacifism is an attitude or worldview that seeks peace absolutely. Pacifism rejects any form of violence.

Peace Settlement

A peace settlement is an agreement between two parties, often countries, to keep the peace and not go to war.

4.6 TRANSCRIPT OF THE VIDEO

1 INT MUSEUM DAY

The tour guide and teacher are standing in front of the group.

Tour Guide: Welcome to the Museum of War. We have a large collection of First World War artifacts, not just weapons and arms, but also items from everyday life. You might get an impression on how it would be to live during such times!

Teacher: All right, everyone is free to go and look around for themselves. Let's meet up back here in time. The bus won't wait, ok! Make sure you keep each other in sight, and don't get lost!

The students run off in different directions. We follow Ariella and Adil who walk past some uniforms.

Adil: Hey, can you imagine me wearing one of those? You would probably fall in love with me.

Ariella: In your dreams.

They walk past a corner. They're surrounded by pictures depicting battle scenes.

Ariella: Can you imagine living through such a war? Even today people are still at war, in the 21st century.

Adil: Yeah, but what can you do about it?

Ariella (sighing): I don't know, but war should never happen.

Adil doesn't respond. He hesitates to speak. Something's on his mind.

Adil: Wow. That's a bit hypocritical coming from you.

Ariella: What do you mean?

Adil: You're Jewish, right? The Torah is full of stories of war. Like the wars to conquer the Promised Land. And you read these stories yearly.

Ariella: You mean Joshua's Wars of Conquest? Look, it's not because we have those stories that we are suddenly pro-war or something.

Adil: Yeah, but they must have some kind of effect. Some people read religious texts literally, you know. I wouldn't be surprised if these stories actually inspire people to start wars.

Ariella: That could never happen. Jews are one hundred percent peaceful.

Adil: Don't make me laugh. If that were the case, you wouldn't have those stories.

Ariella: Whatever, you don't know what you're talking about! I'm out of here.

Ariella walks away angrily.

Ariella: I can't believe him. What does he know about Judaism?

While walking she accidentally misses the pathway that leads to the main hall. She suddenly bumps into a janitor.

Ariella: Ow, I'm so sorry, sir.

Janitor: You look lost.

Ariella turns around and notices that she is, indeed, lost.

Ariella (shy): I guess I am... Could you tell me how to reach the main hall, please?

Janitor: I'll take you. Follow me.

The janitor starts walking and Ariella follows suit.

Janitor: So, did the museum leave an impression?

Ariella: To be honest, it's very disconcerting. It's hard to imagine a war like this happened.

Janitor: The sad part about it is that so many wars took place.

Ariella: I know... I'm Jewish, and someone recently reminded me of all the stories of war in the Torah.

Janitor: Shalom!

Ariella (surprised): Shalom! You're Jewish too?

Janitor: Yes! So, what do you think about those stories?

Ariella: Well, war is horrible, of course, but I always thought that Joshua's Wars of Conquest were somewhat... Necessary. That without going to war, the ancient Israelites would have never reached the Promised Land. But that doesn't mean that I think war is a good idea! I guess I never thought about it much; my Jewish community doesn't really mention war a lot.

Janitor: I understand. There is a historic reason for that: Jewish communities did not always possess armies, so they didn't spend a lot of time thinking about war.

Ariella: So no one said anything?

Janitor: Well, the old rabbis made an important distinction between commanded and discretionary wars. Commanded wars are, as the name suggests, commanded by Hashem. They are sacred and important, so every Jew must partake in them. Discretionary wars are less important, and therefore Jews cannot be forced to partake in them. An example of discretionary wars are so-called 'expansionary wars': wars to conquer new territory.

Ariella: So what about the wars to conquer the Promised Land in the Torah?

Janitor: The Talmud deems them commanded wars! But here's the catch: many rabbis believe that these were the only truly commanded wars in Jewish history. And that in any case, if war ever becomes necessary, for instance in the case of self-defense, there are still principles to uphold. Like offering peace first, only fighting to achieve peace, and preventing the loss of innocent lives as much as possible. Let's not forget that Judaism values peace above all else!

Ariella and the janitor have almost reached the main entrance hall. The noise of people talking gets louder.

Ariella: I think I understand. I wish I could keep talking to you about this.

Janitor: Some other time. I have to go back now.

Ariella: Okay. Thank you for helping!

Janitor: Goodbye!

As Ariella walks away she suddenly remembers something she wants to say.

Ariella: Wait, where did you have to go back to?

Ariella turns to find the hall empty. The janitor seems to have disappeared.

3 INT MUSEUM DAY

As Ariella reaches the main hall she is greeted by the teacher and tour guide. The tour guide's hair is in disarray.

Teacher: At last! There you are! We checked every single hall!

Ariella: That's strange, I was walking through all them with the janitor. He helped me find my way back.

Guide: Uhm, no, well the janitor was not working today. Well, I don't think so.

Teacher: I guess the museum made their imagination run wild. Thank you for the tour. I'm sure it left a big impression on all of them.

4 EXT BUS DAY

Ariella gets on the bus. She sees Adil sitting alone and goes to sit next to him.

Adil: Hey, look, I'm sorry if I hurt you, I didn't mean to say you were violent or anything like that.

Ariella: I know. The museum just gave me a lot to think about. Hey, do you want to come over after school? My mom is making a special dish and...

As the bus drives off, the audio of Ariella and Adil's conversation distorts and shizzles out. The image shifts to that of an empty museum hall. The camera slowly zooms in on a picture on the wall. The old picture reveals the janitor in a 1915's war costume. He winks at the camera before the screen turns black.

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