

Inverted Morality

1. Payam Akhavan, *Beyond Impunity: Can International Criminal Justice Prevent Future Atrocities?*, The American Journal of International Law 95:7

Through systematic indoctrination and misinformation, political leaders created an aberrant context of inverted morality in which dehumanization and violence against members of the "enemy" group were legitimized as purported acts of self-defence.

Maintain your humanity

2. Deuteronomy 23:10-15

When you go to war against your enemy, guard yourself against every bad thing. When a man among you is impure... he shall leave the camp, he shall not enter the midst of the camp. Before evening he shall bathe in water, and at sunset he shall enter the midst of the camp. And you shall have a place outside the camp; go there, outside.

And you shall have a peg among your weapons; when you sit outside, you will dig with it, sit, and cover your waste. For HaShem your G-d travels in the midst of your camp, to save you and to put your enemy before you, and your camp shall be holy. Nothing which should be covered will be seen, lest He leave you.

3. Commentary of Rabbi Samson Raphael Hirsch to Deuteronomy 23:10

Also, when you leave the normal boundaries of family and civil life, and you are in a military camp arranged against your enemies, then even though you are in a military camp, where the ethical reins are easily loosened and the actual goal of war is an unrestrained coarseness – then, too, "guard yourself against every bad thing." Do not cease examining yourself, with self-control, and be on guard against "every bad thing."

4. Deuteronomy 20:19

When you besiege a city for many days, fighting it to capture it, do not destroy its tree, to raise a hatchet upon it...

5. Commentary of Rabbi Samson Raphael Hirsch to Deuteronomy 20:19

A midrash says: "'To capture it' – not to destroy it." Your goal should be only to subdue the city, not to enslave its residents as prisoners of war.

6. Maimonides, Laws of Kings and their Wars 6:7

When besieging a city to capture it, we do not surround it on its four sides, but only from three sides. And we leave a place to flee, and all who wish may flee for their lives, as Numbers 31:7 says...

7. Commentary of Nachmanides on Maimonides' Book of Mitzvot, Added Commandment #8

We are instructed that when we lay siege to a city, we must leave one of the directions without siege, so that if they wish to flee then they will have a place for flight. Thus we will learn to act with mercy even with our enemies in a time of war. It will also help in that we will give them an avenue to flee and they will not strengthen themselves against us.

Example: Treat captives with care

8. Deuteronomy 20:11

And if they will answer with peace and open to you, the entire nation found there will be for tribute to you, and will serve you.

9. The Seven Noachide Laws

Murder, Idolatry, Blasphemy, Sexual immorality, Theft, Eating from a live animal, Judicial system

10. Code of Jewish Law, Yoreh Deah 267:5

One who circumcises and immerses his slave for slavery against his will has not performed a legitimate act.

11. Deuteronomy 21:11-14

And you will see among the captives a pretty woman, and you will desire her and take her for a wife. And you will bring her into your home, and she will shave her head and cut her nails. And she will remove her garb from captivity and sit in your house and cry for her father and mother for a month of days. Then you shall come to her, and she will be your wife. And if you will not want her, you shall set her free. Do not sell her or treat her as a slave, having oppressed her.

12. Talmud, Kiddushin 21b

The Torah only presented this to combat the evil inclination.

A moral conflict

13. Samuel II 23:20-22

And Benayahu son of Yehoyada was son of a mighty man, of great deeds, from Kabtze'el. He [Benayahu] struck the two altars of Moab, and he descended and struck the lion in the pit, at the time of snow. He struck an Egyptian of great appearance, who was holding a spear in his hand, and he descended to him with a staff, and he grabbed the spear from the Egyptian and killed him with his own spear. This is what Benayahu son of Yehoyada did...

14. Talmud, Berachot 4a

"Benayahu ben Yehoyada" refers to the Sanhedrin...

15. Commentary of Rabbi Samson Raphael Hirsch to Deuteronomy 23:10

"When you go to war against your enemy" – A midrash emphasizes, "against your enemy – you wage war against your enemies." The Torah establishes that you will battle only those who show themselves to be your enemy, from whose enmity you have suffered, and from whom you anticipate acts of enmity. Therefore, even should you attack them, you shall only defend yourself. This message rejects all wars of conquest.

16. Midrash, Vayikra Rabbah Tzav 9

Rabbi Yosi haGlili said: Peace is so great that even during war, one may only begin by seeking peace.

17. Maimonides, Laws of Kings and their Wars 6:1

We may not declare war upon any human being, anywhere, until we first sue for peace. This applies both to "authorized wars" and "obligatory wars," as it is written, "And when you come close to a city to fight against it, call to it for peace." Should they make peace and accept the laws in which Noachides are instructed, we would not kill anyone there. We would collect taxes, as it is written, "They will pay tribute to you, and they will serve you."

18. Jerusalem Talmud, Sheviit 6:1

Yehoshua sent three messages into Israel, before the Jews entered the land: Whoever wants to leave, may do so. Whoever wants to make peace, may do so. Whoever wants to make war, may do so.