



### A moral conflict

1. 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...

2. Talmud, Berachot 4a

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

3. 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.

4. Midrash, Vayikra Rabbah Tzav 9

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

5. 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, "When you draw near to a city to fight against her, you shall call to her 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 be tribute to you, and will serve you."

6. Jerusalem Talmud, Sheviit 6:1

Joshua 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.

### Just Cause?

7. Deuteronomy 7:2

Gd will place them before you, and you shall strike them. Destroy them; you shall not make any covenant with them...

8. Deuteronomy 20:10-14

When you draw near to a city, to fight against her, you shall call to her for peace. And if she will answer with peace and open to you, the entire nation found there will be tribute to you, and will serve you. And if she will not make peace with you, and she will make war with you, you shall besiege her. And Gd will give her into your hands, and you shall strike all of her males by the sword. Only the women, children and beasts, and all in the city – all of her spoils – you shall take yourselves. You shall consume the spoils of your enemy, who Gd has given to you.

9. Samuel I 15:3

Now go and strike Amalek, and you shall destroy all that he has and you shall not have mercy upon him. And you shall kill man and woman, infant and suckling, ox and sheep, camel and donkey.

### What happened to mercy?

10. Talmud, Yevamot 79a

"And the Gibeonites said to him: We have neither silver nor gold with Shaul and with his household, and we have no man [to kill in Israel]... Let seven men of his children be given to us, and we will hang them before Gd." (Samuel II 21:4-6) King David tried to appease them, and they would not be appeased. He said, "There are three signs for this nation: Merciful, bashful, and generous. Merciful, as it is written... One who has these three signs is suited to cleave to this nation."

11. Genesis 32:8

And Jacob was very afraid, and it pained him...

12. Midrash, Bereishit Rabbah 76:2  
"Afraid" lest he kill, "Pained" lest he be killed.

13. Commentary of Rabbi Samson Raphael Hirsch to Bereishit 34:25  
Now the blameworthy part begins, which we need in no wise excuse. Had they killed Shechem and Chamor there would be scarcely anything to say against it. But they did not spare the unarmed men who were at their mercy, yea, and went further and looted, altogether made the inhabitants pay for the crime of the landowner. For that there was no justification. For that Jacob too reproached them...  
Their one answer *הכזונה* gives their whole motive. The lord would never have allowed himself to act as he did were it not a question of a foreign, forsaken Jew-girl. That was the thought that brought home to the minds of Simeon and Levi that there are times when the Family of Jacob too must grasp the sword... They had no desire to act prudently. They wanted to make themselves feared so that nobody would attempt anything similar. The daughters of Jacob were not to be considered as being at anybody's disposal. But nevertheless they went too far, to take revenge on innocent people for that which powerful ones had done.

14. Rabbi Samson Raphael Hirsch, Horeb 415-416  
There are probably no creatures that require more the protective Divine word against the presumption of man than the animals, which, like man, have sensations and instincts, but whose body and powers are nevertheless subservient to man...  
Man becomes the torturer of the animal soul, which has been subjected to him only for the fulfillment of humane and wise purposes; sometimes out of self-interest, at other times in order to satisfy a whim, sometimes out of thoughtlessness – yes, even for the satisfaction of crude satanic desire.  
Behold! Here you are faced with HaShem's teaching, which obliges you not only to refrain from inflicting unnecessary pain on any animal, but to help, and, when you can, to lessen the pain whenever you see an animal suffering even through no fault of yours...  
Above all, those to whom the care of young minds has been entrusted, see to it that they respect both the smallest and the largest animal as beings which, like man, have been summoned to the joy of life and have been granted sensitivity. And do not forget that the boy who, in crude joy, finds delight in the convulsions of an injured beetle or the anxiety of a suffering animal will soon also be dumb towards human pain.

15. Genesis 15:16  
And the fourth generation shall return here, for the sin of the Emorites is not yet complete.

16. Deuteronomy 9:5  
Not due to your righteousness and the straightness of your heart do you come to take their land, but due to the wickedness of these nations does your Gd take them from before you.

17. Meet the Canaanites                      Noah's grandson; Sodom; Grar; Shechem; Jericho

18. Leviticus 18:3  
Like the deeds of the land of Egypt, in which you dwelled, you shall not practice. And like the deeds of the land of Canaan, to which I am bringing you, you shall not practice, and their laws you shall not follow.

19. Talmud, Bava Kama 38a  
"[Gd] stood and measured the land, saw and released nations" – What did Gd see? Gd saw the seven mitzvot the Noachides had been instructed and had not upheld, and so Gd exiled them from their land.

20. Proverbs 12:10  
...and the mercy of the wicked is cruel.