

## A Moral & Religious Defense of Israel's Actions in Gaza

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A week ago on Tuesday evening, I was teaching a class of sixth graders in our religious school. Around the classroom I had printed placards on which were printed different names of God that are found in the siddur. I asked the students to stand beneath the one that described God in the way that meant the most and to them. There were names like: *Rofei holim*, Healer; *Ha'poreis sukkat shalom aleinu*, the One Who spreads peace over us; *Mechayeiy ha'metim*, the One Who gives life to the dead; *Melekh ohev tzedaka u'mishpat*, the King Who loves righteousness and law; *Magen*, Shield; *Go'eil*, Redeemer; *Shomei'a tefilla*, Hearer of prayer; *Hanun ha'marbeh lisloah*, Gracious and Forgiving; etc., etc. There are 17 kids in the class and they spread out all over the room...reading the descriptions, trying to decide where to stand, and finally picking the name of God that resonated most with them. Every single description had at least one subscriber...that is, except for one. No one chose to stand beneath the name of God that we encounter on page 102 of the siddur: *Adonai Ish Milhama*...which literally means, "Adonai is a 'man of war.'" Our God is a 'warrior God.' While some of the names I taped to the walls were formulated by the rabbis many centuries ago, this one actually was lifted right from the Torah! Exodus 15, the Song of the Sea...as the Israelites sing and celebrate their new found freedom it is *they* who call the God Who delivered them *Ish Milhama*, "a God of War."

So I asked the kids, "How come nobody picked this one?" "Why didn't anyone feel comfortable with the idea of God being present in war?" Well, one after another explained—quite eloquently, I might add—that this image did not comport with their beliefs about a kind, loving, gentle God. 'War is evil,' they explained, 'and the same God who we call *Oseh Shalom*, the Maker of peace, cannot also be the God of war.' Pretty well thought out and sophisticated, I thought to myself. But then I followed up, "Let me ask you this question: Is there ever a time when it is right to go to war? Is war ever justified, or even the moral thing to do?" There was a pause, but not a long one. This is the generation that has grown up with recurring lessons in Holocaust education. This is a group of kids who live some 20 miles from one of the world's most comprehensive collections of Holocaust artifacts and documents. They immediately associated the war against Hitler and Nazism as a just war. Other examples, like the Revolutionary War and the Civil War were mentioned, seeming to suggest that although war is *never* a desirable outcome, there are situations in this very imperfect world where war may indeed be a mitzvah. It was in that context that I suggested the Torah employed the language describing a God of war. God is present in war, if you will, when that war is to protect innocent

lives; when that war is to contain or eliminate a dangerous enemy; when that war is the last resort, after all avenues of peaceful resolution have been exhausted.

Indeed Jewish law has a lot to say about when and how wars can be fought.<sup>1</sup> Obligatory wars, *milhamot mitzvah*, are wars that the Jewish people have no choice but to enter. Wars of self-defense and the protection of innocents is a war that must be fought. We are forbidden from becoming passive victims when the possibility exists to prevent it. Jewish law addresses other categories of war, but most apply to antiquity, when we were ruled by kings and when there was a Sanhedrin to evaluate the ethical and religious correctness of the proposed military action. Nowadays, in our modern Jewish State, all wars that the State of Israel has been involved in have been in the category of obligatory. All of Israel's wars have been wars of existential survival; all of Israel's wars, including this one, are wars that Israel hasn't had the luxury of evaluating whether or not they merit fighting. From the War of Independence 65 years ago, to Operation Pillar of Defense today, Israel has exclusively gone to war to protect innocent lives. None of Israel's wars have been for the purpose of enlarging borders or plundering neighbors. Israel is not an empire, in fact its repeated willingness to give back conquered lands testifies to that more than anything!

Without a doubt though, the right and responsibility of any nation to protect its own civilians from outside attack and danger is the cornerstone of international law. Attorney General Eric Holder, speaking about counterterrorism at Northwestern University Law School just this past March, described a government's fundamental duty as protecting the nation and its people.<sup>2</sup> Over 200 years ago James Madison argued in the Federalist Papers that a government's most important obligations to its citizens happen during times of war. Imagine the how reprehensible it would be of a nation to be negligent in providing for the common defense! How long would any population tolerate living under a constant state of attack? It would be totally unacceptable! Of what worth is a government that can't or won't protect its own people?

Not long ago mortars from Syria landed across the border in Turkey. It was most likely a spillover from Syria's internal civil war (a truly horrific human rights debacle)...but Turkey, which has sharply criticized Israel's response to rocket attacks from Gaza, immediately returned fire right back at Syria, hitting numerous targets, and killing several Syrian soldiers in response. The Turkish prime minister, who himself has called Israel's retaliation in Gaza "terrorism," amassed his own troops, tanks, and missile batteries on the Syrian border, promising a much more severe response should so much as a Syrian bullet land on his side of the border. And no one blinked an eye! NATO, the UN, the US all rushed to reaffirm Turkey's right to protect its civilians from attack. But when Israel tries to shield its civilians from years of rocket barrages and missile attacks, somehow, yet again, a different standard applies.

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<sup>1</sup> Rambam: *Mishneh Torah*, *Hilkhot Melakhim U'Milhamoteihem*, Chapter 6

<sup>2</sup> Northwestern University School of Law, Monday, March 5, 2012

By the way, it's important that you know that the Torah provides a host of battlefield ethics. Deuteronomy chapter 20, describes how before a city is laid siege, a Jewish army must first offer terms of peace. In the same chapter, the Torah forbids the wanton, reckless destruction of trees and natural resources. A fascinating Midrash<sup>3</sup> describes the Israelite attack on the enemy nation of Midian. The Israelite army approached on three, rather than four sides...Why? In order to leave an avenue of escape for those who wished to flee. Moreover Joshua dispatched three letters to the Canaanites prior to his military campaigns: the first encouraging civilians to leave, the second encouraging a peaceful alternative to war, and the third warning of an impending invasion. Now hold the modern State of Israel up to these sacred values...

Literally letters, flyers, leaflets written in Arabic are dropped over areas of dense civilian areas warning people that an attack is impending. The Israel Defense Forces place phone calls to entire buildings full of people prior to an attack on weapons and launchers housed nearby. They keep calling until they reach someone, in order to provide sufficient warning to non-combatants. Tell me, is there another army in the world that persistently calls peoples' cell phones on the enemy side of the border to tell them the date and time of an attack?! These notifications also tell residents of Gaza the exact routes, the specific streets to take and what quadrants of the city are safe for them to relocate to. Like the ancient attack in Midian, an avenue is always open for civilians to flee. Like Joshua, there is always communication with civilians before a single missile hits its target. Shockingly, the Hamas Minister of the Interior told Gazans on Al Quds radio to ignore IDF warnings and not to listen to the radio.<sup>4</sup> You see, what the world fails to understand is that civilian casualties, no matter how much Israel endeavors to prevent them, are precisely what Hamas wants! They are well aware that civilian deaths court global press and the indictments of the international community. The 'Human Shield Method,' as it has come to be known, is the Hamas strategy of using civilian facilities and locations—like schools, hospitals, foreign press buildings, and densely populated residential areas, for their sinister operations. When Israel targets those terrorists, some civilian casualties are sadly inevitable. But Israel's critics only see what they want to see. The inhumane use of human shields by terrorist operatives is perhaps the most despicable of Hamas tactics—but also one of the most effective in drawing a tsunami of criticism upon Israel. Oh, the Palestinians in Gaza definitely live in occupied territory. Only it's not occupied by Israel! Gaza is occupied by Hamas. The civilians of Gaza live under the harsh occupation of a religious and political movement that places such a low value on human life, that they have no qualms about sacrificing their own people on the altar of hatred and anti-Semitism. It's an unquestionable tragedy when civilians get caught in the crosshairs. It's heartbreaking. Quite unlike Hamas, however, it is never Israel's goal for there to be civilian casualties. Israel aims to destroy weapons caches and the occasional terrorist kingpin. Hamas aims solely to destroy innocent people.

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<sup>3</sup> Yerushalmi Shevuot 6:1

<sup>4</sup> IDF Blog 11/20/12

And then there is that imperative of offering peace to an enemy before going to war. Any humane, decent nation would prefer to settle a conflict peacefully, rather than face untold loss of life on a battlefield. No civilized leader relishes the thought of sending troops into harm's way. Sadly, though, it is very hard to pursue real and lasting peace with an adversary that does not believe in peace. The Hamas charter specifically states that "Israel will exist until Islam will obliterate it." Article 13 of the Hamas charter says:

*Initiatives, and so called peaceful solutions and international conferences are in contradiction to the principles of the Islamic Resistance Movement...there is no solution to the Palestinian question except through jihad.*

This is the truth that needs to be told throughout the world! How hopeful can we be about a cease fire when this is the ideology we are up against? How confident can Israelis be with this pause in the violence when Hamas has no intention of pursuing a lasting peace, but instead continues to yearn for the ultimate eradication of all of Israel? I am no more optimistic about today's ceasefire than I was after Operation Cast Lead in 2009. 64% of Israelis believe this truce will be short lived,<sup>5</sup> and as long as Hamas is in power, cease fires will prove little more than intermissions between hostilities.

It is imperative, though, that if the same circumstances applied to any other nation, no one would blink and eye at that sovereign nation's right to defend its citizens. It is critical to remember that Hamas is a violent, terrorist, extremist religious organization that oversees the Gaza Strip with no civil rights or freedom of speech, press, or religion; a crossroads of arms smugglers, kidnapers, and lawlessness. It is unequivocally bound to a covenant calling for Israel's destruction. And it's not because Gaza is occupied territory; It most certainly is not. Gaza is, to use a term favored by another infamous fascist group, *judenrein*: there is not a single Jew, not a single Israeli on one square inch of the Gaza Strip. It seems that people only like to have good guys and bad guys on TV or in superhero movies. But, friends, as politically incorrect as it is to say publically...there is a good guy in this conflict and a very real, very bad guy as well. There is a good guy that ultimately wants peace for its people and its neighbors, and a bad guy that sows violence and terror on a regular basis. There is a good guy who withdrew every one of its people in order to make peace more realistic in Gaza, and a bad guy that shields its weapons beneath children and noncombatants. Israel is not perfect; Israel is not above criticism; not everything Israel does is beyond reproach. **However there is no moral equivalence here.**

The Book of Ecclesiastes, a raw and unvarnished take on reality states: There is a time for every purpose under heaven...*Et milhama v'et shalom*...A time for war and a time for peace. Sometimes, as in Ecclesiastes 3:8, peace must be preceded by war. Sometimes, sadly, regrettably, peace has to be fought for; sometimes peace only comes once war proves that there really is no better alternative. Friends, it breaks my heart to say that I do not believe that Hamas

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<sup>5</sup> Al Jazeera, 11/22/12

either believes or understands that yet. And until they do, Israel will be forced to content with them militarily. As they do, let us never forget our moral compass. Let us never forget the values our tradition demands of us, even in times of war. And let us never shy away from speaking out for the right and responsibility of Israel to protect and defend its men, women, and children from the rocket fire of Gaza. While Gaza is, and perhaps always will be *judenrein*, the land of Israel, the State of Israel must never be.