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The Warfare Blueprint: What the Torah Really Says About Civilian Casualties

Since October 7th, accusations of "disproportionate response," "collective punishment," and genocide have dominated international criticism of Israel. What does the Torah teach about a nation's moral responsibilities at war?

As Rabbi Berel Wein observed, *"We are not orphans."* Our Torah tradition addresses national defense, the responsibilities of warfare, and the profound value of human life.

Parshat Vayishlach serves as the Torah's foundational "war manual." Yaakov's confrontation with Eisav and Shimon and Levi's raid on Shechem offer five lessons about international conflict, self-defense, and collateral damage.

1. INDIVIDUAL CRIME VS. NATIONAL DEFENSE

Judaism places supreme value on human life. The Rambam rules that murdering anyone, Jew or non-Jew, violates the severe biblical prohibition of *Lo Tirtzach*. Yet, the Torah distinguishes individual disputes from national warfare:

- **Individual conflict:** In peacetime, disputes belong in court; extrajudicial killing is murder.
- **National defense (*Milchemet Mitzvah*):** When an enemy attacks or threatens the nation, the Rambam (*Hilchot Melachim* 5:1) identifies rescuing Israel from an invading enemy, *Ezrat Yisrael mi-yad tzar*, as an obligatory war to save lives.

The Maharal (*Gur Aryeh*) distinguishes between disputes involving individuals, which must be resolved in court, and attacks between nations, which are acts of war. In the abduction of Dinah, Yaakov's family was regarded as a nation. The attack therefore permitted a military response against Shechem collectively, rather than judicial action against the individual offender alone.

2. SHECHEM AND STATE-LEVEL CONFLICT

After Dinah's abduction and rape, Shimon and Levi killed Shechem's entire male population. Yaakov feared retaliation from neighboring tribes; they answered: *"Should our sister be treated like a harlot?"*

The **Or HaChaim HaKadosh** adds that their decisive response established deterrence. Inaction would have signaled weakness and invited further attacks. The Torah records the result: *"A terror from G-d fell upon the surrounding cities, and they did not pursue the sons of Yaakov"* (Bereishit 35:5).

3. COMPLICITY AND "CIVILIAN" IMMUNITY

Is there an obligation to endanger soldiers to spare non-combatants in an enemy population?

The Gemara in *Masechet Sofrim* states: *"Tov she-be-goyim le-mita"* ("During war, even the best of the enemy may be targeted"). Tosafot (*Avodah Zarah* 26b) explains that this applies during wartime when "civilians" actively assist the enemy's war effort.

Tosafot proves this from the Exodus: When Pharaoh pursued the Jews who left Egypt, where did he get horses if all livestock died in the plague of *Dever*? The Torah notes that "G-d-fearing" Egyptians brought their animals inside. Yet, during the pursuit, those *"Tov she-be-goyim"*, the very same "G-d-fearing civilians" donated their horses to Pharaoh's army! Because their property was weaponized against Israel, they lost their innocent status.

Misplaced mercy in war is explicitly condemned by Chazal: *"He who becomes compassionate to the cruel will ultimately become cruel to the compassionate"*. Endangering IDF soldiers to protect an enemy population harboring and aiding terrorists is morally perverse under Torah law.

4. SPIRITUAL SENSITIVITY

Why did Yaakov fear killing others, "*Vayetzer lo*" and why was David barred from building the Beis HaMikdash because he had "spilled much blood"?

If warfare is justified, why did Yaakov fear killing others, later condemn Shimon and Levi, and why was David barred from building the Beis HaMikdash?

Even justified killing can affect a person's character. Yaakov's fear reflected concern for its impact on his soul. His later rebuke of Shimon and Levi linked their violence in Shechem to their treatment of Yosef: the concern was not merely whether force was necessary, but what exercising it could do to them.

Similarly, the Radak explains that David was not punished for the blood he shed, because his intention was to defeat the wicked and protect Israel. Nevertheless, his involvement in bloodshed made him unsuited to build the Beis HaMikdash, a place of peace, atonement, and prayer. Just as iron, used to make weapons, was excluded from constructing the altar, the sanctuary of peace required a builder whose hands had not shed so much blood.

5. THREE PATHS TO VICTORY

Yaakov prepared on three fronts:

1. **Military readiness (*L'milchama*):** Dividing his camp and preparing for battle.
2. **Diplomacy (*L'doron*):** Sending gifts and pursuing strategic negotiation.
3. **Prayer (*L'tefillah*):** Crying sincerely to Hashem.

Military strength and diplomacy are essential, but prayer must anchor them. In David's military, every thousand frontline soldiers were accompanied by a thousand scholars praying on their behalf.

OUR TAKEAWAY

The Torah teaches us to love peace. When evil threatens to destroy us, morality also demands clarity and strength. We must stand proudly behind our soldiers, demand that our leaders prioritize Jewish lives without shame, and storm Heaven with our prayers! ■

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