

Shoftim: Egla Arufa; War and Peace

- Nisson Shulman.

The nations of the world do not afford us the basic right of self-defense. Why is Egla Arufa placed between portions of war? David and Devorah, in their song, give the answer

Shoftim

1. required first to offer peace sincerely, and only to engage in war as a last resort. We read that we must be humane even in battle. We read the declaration the High Priest and leaders made before the engagement, exempting those who had just built homes, planted vineyards, become betrothed, as well as those who are fainthearted. According to some commentators, this last exemption refers to those who are fearful that they are not righteous enough to succeed in battle.

2. Two such Torah portions deal with Jewish wars. There are the verses we read this week as well as the opening verses of next week's portion, dealing with the Jew who cannot resist the temptation to take a beautiful captive home with him.

3. In between these two portions there is an interruption. The Torah inserts a law dealing with a murdered man, an anonymous traveler, whether Jew or Gentile, found in the road or field between two cities. The Torah requires that the elders of each city go through an awesome, even terrifying ceremony, during which they must assert that "Our hands have not shed this blood". The implication is that the elders of each city are indeed responsible for the life of every traveler, stranger as well as citizen.

4. Why was it placed here? Why is it between two portions dealing with rules of war? BeMishne Torah dorshin semuchin, "In the book of Deuteronomy the sequence of portions is always significant". That is surely the case here. For the Torah sought to teach that even in the midst of war, we must not grow callous to bloodshed. The law is inserted to show that the Jew must always consider each human life of infinite worth.

5. "Why", says the Mishnah, "was man described as having been created alone? To teach, among other lessons, that from one individual an entire world was populated. So he who saves the life of one man is as if he saves the world, and he who causes one man to perish is as if he destroys the world."

6. So this traveler's death is a national tragedy. It is an infinite sorrow, and there can be no avoidance of the responsibility by any man, anywhere for it. This has always been the creed of our people. It is our creed today. It is placed between the portions that deal with warfare to teach that life, not death, is the ideal of our people, and we go to war only when it is forced upon us by others, to save our nation and the lives of the people of Israel. These words are particularly stark and significant, when read at a time of suicide bombers to whom death is more important than life.

7. We are being forced, today, to respond to those whose creed is blood, whose program is to kill

and maim innocent people, and whose goal is to destroy our people. Nothing is different today from other crisis times in our long and tragic history – except that now we know how to defend ourselves. Every person we lose in this war emphasizes the law of *egla arufa*, which teaches that each one represents an entire potential world. Our Israelis in every part of Israel, in every city from Jerusalem to villages in Yehuda and Shomron, are threatened to the point that we must respond.

In the spirit of the response that we must make, there are two strange verses which we now begin to understand, and which carry a message for us today.

8. In Tanach there are two songs that sing of battle. One is David's song, which is actually a eulogy for Saul and Jonathan who fell in battle against the Philistines on Mount Gilboa, not far from Jerusalem. The other is Deborah's song of triumph when she sang of the Jewish General Barak, her husband, and herself, as together they defeated Sisera, the leader of the hosts of Yavin, King of Canaan.

9. Each of these songs contains a verse that at first glance makes no sense. David begins his song about Saul and Jonathan, their heroism and their battles, with the words, *Lelamed liBney Yisrael keshet, hine ketuva al Sefer Hayashar* (Samuel II, 21), "To teach the children of Israel warfare is written in the Book of Yashar". What could King David have meant by that?

10. And when Deborah sings of her great triumph, she suddenly changes the subject and recites a cryptic verse: *Yivchar elohim chadashim; az lehem shearim; mageyn im yeraeh varomach, bearbaim elef beyisrael;* "When new judges are chosen, and war will be waged in the gates, then not one shield or spear will be seen amongst 40,000 Jews." What could she have meant?

11. These strange statements can be understood by means of the sequence of the verses dealing with war and the *egla arufa* which emphasize the importance of human life.

In the halls of the United Nations in New York are inscribed Isaiah's words, "And they shall beat their swords into plowshares and their spears into pruning hooks; nation shall not lift up sword against nation, neither shall they learn war anymore". This is a vision we have given the world to become its ideal. No nation on earth has yet realized that dream.

12. Over the doors of the ministry of war of the Austria-Hungarian Hapsburg Empire which was broken into fragments after the First World War, there were engraved the words, *Si vis pacem, para bellum*, "If you desire peace, prepare for war". For eternity that has been the spirit that motivates every nation on earth and its policy. Every now and again there are glimmerings of hope that it might change, such as we experienced during the time nations which now oppose us signed agreements which were supposed to lead towards peace. We know now how false and deceitful they were. We now know the goal of their violence is to destroy our people, and we resolve to be firm, and do all we can to protect ourselves from, to paraphrase Churchill, "Being swallowed alive by the wolves around us".

13. It is therefore extremely strange that though nations understand the need to protect their own citizens from violence and keep their own institutions, installations, ships and cities safe from

terrorism, they would all like Israel to act differently. They want us to do things unilaterally; they want us to restrain ourselves and not to respond to attacks and shootings and bombings. Even though Arab shots and bombs are aimed at our civilians and we have not once aimed at their civilian targets, nations of the world, even our friends, want us to refrain from response.

14. Against this background we understand the words of David and Devorah.

15. David sings of Jewish heroism battle, and asks: "Is this in the spirit of our heritage? Does not the Torah prefer peace and demand that we shall all act as if there is peace?" In the Midrash of this week's Torah portion, the very portion teaching the rules of Jewish warfare and its ethics, there is a large section, which contains many proof-texts to show that gadol hashalom, Peace is far, far greater than war. "Yes", said David, "if they would only let us have peace".

"Do you know why we have to teach warfare to the children of Israel, and send our youngsters into hostile populations of Gaza and parts of the West Bank, in danger of attack from any side, to grow hardened against compassion in such a war? Do you know why we must do this, though it is against Jewish nature? It is written in the book of Yashar. What is the Book Of Yashar? Said Rabbi Simon Ben Gamaliel, this is the book of Judges, where we read, Ish rak hayashar beeynav yaase, "Everyone did as they pleased". For in that book of Judges we read that all our neighbors did "as they pleased"; robbed pillaged, murdered.... Judah can't abide that in peace. We must respond to Sefer Hayashar, to this condition of anarchy, by teaching war to our young, peace loving citizens.

16. Deborah, too, addressed the same problem in another dimension. "We went to war", she said. "But should not disputes be settled in peace? Yes indeed they should. We should beat our swords into plowshares; but only when both sides are willing to do the same. It would be suicide for us to do it alone." Yivchar elohim chadashim, Let there but be new judges amongst our foes, new leaders who truly seek peace: az lehem shearim "who will take war out of the battlefield and settle things over a conference table". Let them but come to "the gateway of the city" where judges always sat. Let them merely abandon the battlefield and sincerely come to the conference table, and then the time will come swiftly when magen im yeraeh veromach bearbaim elef miyisrael. Then Israel will lead the way to peace, so that not one shield or spear would be found amongst 40,000 Israelites. But now, when the enemy comes upon us with stones, guns, molotov cocktails and suicide bombs, we must answer accordingly. If now there is terror within our borders, there is also terror for Jews everywhere else in the world. So now we must fight it with all the weapons at our disposal. Now God forbid that we should be without sword and shield for 40,000 of our people. Now that our enemies send messages of fire and blood, we must maintain our skill to be able to reply in kind.

17. May the day soon come that will see Isaiah's words fulfilled and in the united Nations Halls and everywhere in the world, they shall beat their swords into plowshares and their spears into pruning hooks; nation shall not lift up sword against nation, neither shall they learn war anymore. May the day come soon, when we can act in the spirit of David and Deborah, and happily turn our attention to challenges of peace and tranquility. Amen veAmen.