



### Question:

We have spoken of the categorization of Milchemet Mitzva verses Milchemet Reshut. Further we discussed who has the authority to declare war. That is fine on the conceptual level, but on a practical level, what is the status of, modern day, Israel's wars?

### Answer:

All the wars Israel has fought fall into the category of Milchemet Mitzva. As we have seen there are different causes for Milchemet Mitzva, we will try to understand which are relevant to Israel's wars.

1. A war waged against the "Seven Nations" – The Rambam states in reference to the "Seven Nations", "The memory of them has already been obliterated". Since we do not know who is of the Seven Nations there is no place to wage war against the unknown.
2. A war to abolish Amalek – Here too since we do not know who is a descendant of Amalek, it would appear that this type of war is not relevant.

Interestingly, however, the Rambam does not state in reference to Amalek, "The memory of them has already been obliterated" as he does with the Seven Nations. It is a tradition amongst the "Brisk Scholars" that any nation that aspires to wipe out the Jewish people is categorized as Amalek. Hence, the mitzva of destroying Amalek applies to such a nation. Accordingly, the wars fought by Israel against its enemies, who openly talk of wiping out the state and killing its Jewish residents, is a war to abolish Amalek.



3. A war to assist Israel from an enemy that attacked them – All of Israel's wars have been wars of defense against enemies who have attacked them.
4. A war to conquer the land of Israel at all times, according to the Ramban – Since all the wars fought by Israel reinforce our presence on the land and support its residents, according to the Ramban they can be viewed as a war of conquering Eretz Yisrael.

Some of Israel's wars, such as the Peace for the Galil war (first Lebanon war), were initiated by the Israeli army. This raised a question whether they were to be viewed as Milchemet Mitzva or Milchemet Reshut. The chief rabbinate and others ruled that since they are a response to an ongoing aggression of Israel's enemies, it falls into the category of a war to assist Israel from an enemy, namely a Milchemet Mitzva.

#### Sources:

Rambam Hilchot Melachim u'Milchamot chapter 5 laws 1,4,5

Ramban Comments to Sefer Hamitzvot of the Rambam, positive commandments the Rambam omitted, commandment 4.

Rav Soloveitchik, Kol Dodi Dofek, Hirhurei Viduy Nogim and comment num. 23; Eikvei Hatzon (Rav Tzvi Schachter) page 213; Rabbi Gershuni, Torah Shebealpe 13 page 151.

Rabbi Shlomo Goren' Torat Hamedina' Milchemet Shelom Hagalil Le'or Hahalacha (pages 395-401), specifically see his conclusion and Chief Rabbinate ruling on pages 400-401.

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