



Ideology and Reality, Individual and Community: Biblical and Rabbinic Perspectives on War

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Dr. Diamond is the author of a chapter on the rabbinic period in the *Schocken Guide to Jewish Books*, and entries in the *Reader's Guide to Judaism* and *The Encyclopedia of the Bible and Its Reception*. He is the author of *Holy Men and Hunger Artists: Fasting and Asceticism in Rabbinic Culture* (Oxford University Press, 2003). The book provides a thorough reassessment of the role that asceticism plays in rabbinic Judaism, suggesting that asceticism is more pervasive than is generally thought. Dr. Diamond has written on prayer, asceticism, and issues of environmental law and ethics. He is currently editing a commentary on *Yerushalmi Pesachim* written by the late Professor Louis Ginzberg, as well as a book on prayer. The prayer volume will address the problem of cognitive dissonance for the contemporary worshipper and will offer readings of traditional liturgy that use midrashic methodology to find meaning and relevance in these prayers for the modern Jew. Dr. Diamond has taught in a variety of settings, including Stern College, the Reconstructionist Rabbinical College, the 92nd Street Y, and several Ramah camps. Dr. Diamond was ordained at the Rabbi Isaac Elchanan Theological Seminary of Yeshiva University and received his doctorate in Talmud from JTS.

I. The Biblical texts

A. Deuteronomy 20: 1-9

<p>1. When you [an Israelite warrior] take the field against your enemies and see horses and chariots— forces larger than yours— have no fear of them, for your God יהוה, who brought you from the land of Egypt, is with you.</p> <p>2. Before you join battle, the priest shall come forward and address the troops.</p> <p>3. He shall say to them, “Hear, O Israel! You are about to join battle with your enemy. Let not your courage falter. Do not be in fear, or in panic, or in dread of them.</p> <p>4. For it is your God יהוה who marches with you to do battle for you against your enemy, to bring you victory.”</p> <p>5. Then the officials shall address the troops, as follows: “Is there anyone who has built a new house but has not dedicated it? Let him go back to his</p>	<p>(א) כִּי־תֵצֵא לְמִלְחָמָה עַל־אִיְבֹךָ וּרְאִיתָ סוּס וְרֶכֶב עִם רַב מִמֶּךָ לֹא תִירָא מֵהֶם כִּי־יִקְוֶה אֱלֹהֶיךָ עִמָּךְ הִמְעֵלְךָ מֵאֶרֶץ מִצְרַיִם:</p> <p>(ב) וְהָיָה כִּקְרֹבְכֶם אֶל־הַמִּלְחָמָה וּנְגֹשׁ הַפֹּהֵן וְדִבֶּר אֶל־הָעָם:</p> <p>(ג) וְאָמַר אֲלֵהֶם שְׁמַע יִשְׂרָאֵל אַתֶּם קִרְבִּים תִּיזֹם לְמִלְחָמָה עַל־אִיְבֵיכֶם אֶל־יָרֵךְ לְבַבְכֶם אֶל־תִּירְאוּ וְאֶל־תִּחַפְּזוּ וְאֶל־תַּעֲרָצוּ מִפְּנֵיהֶם:</p> <p>(ד) כִּי יִקְוֶה אֱלֹהֵיכֶם הֵהָלֶךְ עִמָּכֶם לְהִלָּחֵם לָכֶם עִם־אִיְבֵיכֶם לְהוֹשִׁיעַ אֶתְכֶם:</p> <p>(ה) וְדִבְרוּ הַשְּׂטָרִים אֶל־הָעָם לֵאמֹר מִי־הָאִישׁ אֲשֶׁר בָּנָה בַּיִת־חֲדָשׁ וְלֹא חָנָּו יָלָךְ וַיָּשָׁב לְבֵיתוֹ פֶּן־יָמוּת בַּמִּלְחָמָה וְאִישׁ אַחֵר יִחַנְּקֵנוּ:</p>
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<p>home, lest he die in battle, and another dedicate it.</p> <p>6. Is there anyone who has planted a vineyard but has never harvested it? Let him go back to his home, lest he die in battle and another harvest it.</p> <p>7. Is there anyone who has paid the bride-price for a wife, but who has not yet taken her [into his household]? Let him go back to his home, lest he die in battle and another take her [into his household as his wife].”</p> <p>8. The officials shall go on addressing the troops and say, “Is there anyone afraid and disheartened? Let him go back to his home, lest the courage of his comrades flag like his.”</p> <p>9. When the officials have finished addressing the troops, army commanders shall assume command of the troops.</p>	<p>(ו) ומי־הָאִישׁ אֲשֶׁר־נָטַע כָּרֶם וְלֹא חָלְלוּ יָלְקָה וַיָּשָׁב לְבֵיתוֹ פֶּן־יָמוּת בַּמִּלְחָמָה וְאִישׁ אַחֵר יַחֲלִלנוּ:</p> <p>(ז) ומי־הָאִישׁ אֲשֶׁר־אָרַשׁ אִשָּׁה וְלֹא לָקַחָהּ יָלְקָה וַיָּשָׁב לְבֵיתוֹ פֶּן־יָמוּת בַּמִּלְחָמָה וְאִישׁ אַחֵר יִקְחֶנָּה:</p> <p>(ח) וַיִּסְפוּ הַשָּׂטְרִים לְדַבֵּר אֶל־הָעָם וַאֲמָרוּ מִי־הָאִישׁ הַיֵּרָא וְרָךְ הַלֵּב יָלְקָה וַיָּשָׁב לְבֵיתוֹ וְלֹא יִמַּס אֶת־לֵב אֶחָיו כְּלָבָב:</p> <p>(ט) וְהָיָה כְּכֹל הַשָּׂטְרִים לְדַבֵּר אֶל־הָעָם וּפְקֻדוֹ שָׂרֵי צְבָאוֹת בְּרֹאשׁ הָעָם: ו</p>
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B. Deuteronomy 24:5

<p>When a man has newly taken a woman [into his household as his wife], he shall not go out with the army or be assigned to it for any purpose; he shall be exempt one year for the sake of his household, to give happiness to the woman he has taken.</p>	<p>כִּי־יִקַּח אִישׁ אִשָּׁה חֲדָשָׁה לֹא יֵצֵא בְצָבָא וְלֹא־יַעֲבֹר עָלָיו לְקַל־דְּבַר נָקְוָי יְהוָה לְבֵיתוֹ שָׁנָה אַחַת וְשָׂמַח אֶת־אִשְׁתּוֹ אֲשֶׁר־לָקַח:</p>
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II. The initial declaration: command or assurance?

A. Mishneh Torah, Laws of Kings and Their Wars, 7,15

<p>Anyone who begins to feel anxious and worry in the midst of battle to the point where he frightens himself violates a negative commandment, as it is written: "Do not be faint-hearted. Do not be afraid. Do not panic and do not break ranks before them (Deuteronomy 20:3)."</p>	<p>וכל המתחיל לחשוב ולהרהר במלחמה ומבהיל עצמו עובר בלא תעשה, שנאמר אל ירך לבבכם אל תיראו ואל תחפזו ואל תערצו מפניהם,</p>
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B. Ramban's glosses to Rambam's Book of Commandments, Prohibition 58

<p>Rambam wrote: The 58th prohibition is that we are forbidden to fear the infidels (!) in war time. God, the Exalted One, says, "Do not be in dread of them," and the prohibition is repeated: "do not fear them." ...However, this is an assurance, not a commandment.</p>	<p>כתב הרב והמצוה חמשים ושמונה שנמנענו מלפחד מהכופרים בשעת מלחמה והוא אמרו יתעלה "לא תערוץ מפניהם" וכפל המניעה "לא תיראום"... וזו הבטחה לא מצוה.</p>
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III. The mention of “your enemies” as motivation

A. Mishnah Sota 8:1

<p>“And he shall say to them: Hear Israel, you draw near today to battle against your enemies” (Deuteronomy 20:3). “Against your enemies” and not against your brothers. This is not a war of the tribe of Judah against Simon and not Simon against Benjamin, such that if you fall into their hands your brothers will have mercy on you, as it is stated with regard to a war between Judah and Israel: “And the men that have been mentioned by name rose up, and took the captives, and with the spoil clothed all that were naked among them, and arrayed them, and shod them, and gave them to eat and to drink, and anointed them, and carried all the feeble of them upon donkeys, and brought them to Jericho, the city of palm trees, unto their brethren; then they returned to Samaria” (II Chronicles 28:15). Rather, you are marching to war against your enemies, and if you fall into their hands, they will not have mercy on you.</p>	<p>"וְאָמַר אֲלֵיהֶם שְׁמַע יִשְׂרָאֵל אַתֶּם קָרְבִים הַיּוֹם לַמִּלְחָמָה עַל אִיְבֵיכֶם", וְלֹא עַל אַחֵיכֶם, לֹא יְהוּדָה עַל שְׁמַעוֹן, וְלֹא שְׁמַעוֹן עַל בְּנֵימִן, שָׂאֵם תִּפְלוּ בְיָדָם יִרְחַמוּ עֲלֵיכֶם, כְּמָה שֶׁנֶּאֱמַר (דֵּה"ב כח) "וַיִּקְמוּ הָאֲנָשִׁים אֲשֶׁר נִקְּבוּ בְשֵׁמוֹת וַיִּחְזִיקוּ בַשְּׂבִיָּה וְכָל מַעֲרַמְיָהֶם הִלְבִּישׁוּ מִן הַשָּׁלָל וַיַּלְבִּשֵׁם וַיַּנְעִלוּם וַיֵּאָכְלוּם וַיִּשְׁקוּם וַיִּסְכּוּם וַיְנַהֲלוּם בַּחֲמָרִים לְכָל כּוֹשֵׁל וַיְבִיאוּם יְרֵחוֹ עִיר הַתְּמָרִים אֶצֶל אַחֵיהֶם וַיִּשׁוּבוּ שְׁמֵרוֹן." עַל אוֹיְבֵיכֶם אַתֶּם הוֹלְכִים, שָׂאֵם תִּפְלוּ בְיָדָם אִין מִרְחָמֵין עֲלֵיכֶם.</p>
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B. Commentary of the Malbim, (Meir Leibush ben Yehiel Michel Wisser, Poland, March 7, 1809 – September 18, 1879) on Deuteronomy 20:3

<p>“You are about to join battle with your enemy.” A soldier is motivated to risk one’s life in battle if one knows that if one is defeated one has no hope [of survival], as it is said, “There is no one more courageous than someone who has nothing to lose.”¹</p>	<p>“אתם קרבים היום למלחמה על אויביכם”, זה מעורר למסור נפשו במלחמה אם יודע שאם ינוצח אין לו שום תקוה כמ”ש אין גבור כמתיאש</p>
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IV. A source of fear: the chaos of battle

1. Mishnah Sota 8, 1

<p>“Let not your heart faint; fear not, nor be alarmed, and do not be terrified of them” (Deuteronomy 20:3). “Let not your heart faint” due to the neighing of horses and the sharpening of the enemy’s swords. “Fear not” due to the knocking of shields [<i>terisin</i>, from the Greek <i>θυρεός</i>, an elongated shield] and the noise of their boots [<i>calgassin</i>, from the Latin <i>caliga</i>, military boots; sometimes used metonymically to refer to the soldiers themselves; think of the expression “boots on the ground”]. “Nor be alarmed” by the sound of their trumpets [<i>keranot</i>, from the Latin <i>cornua</i>, horn; but see Joshua 6:5]. “Do not be terrified” due to the sound of shouts.</p>	<p>“אל ירף לבבכם אל תיראו ואל תחפזו” וגו’ (דברים כ:ג). “אל ירף לבבכם”, מפני צהלת סוסים וצחצוחם חרבות. “אל תיראו”, מפני הגפת תריסין ושפעת הקלגסין. “אל תחפזו”, מקול קרנות. “אל תערצו”, מפני קול צוחות.</p>
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¹ I was not able to locate the source of this epigram.

V. The relationship between the declaration and the exemptions

A. Bavli Sotah 42 a-b

<p>With respect to the mishna's comments about the verse: "Let not your heart faint; fear not, nor be alarmed, and do not be terrified of them" (Deuteronomy 20:3),</p> <p>the Sages taught (<i>Tosefta</i> 7:18): The priest speaks with them twice, one time when they are gathered for war at the border, and one time when they are on the battlefield itself.</p> <p>When they are at the border, what does he say? Hear my words concerning the regulations of war and consider who is fit to participate in the battle. And return home, all of you who are exempt from combat.</p> <p>What does he say on the battlefield? "Let not your heart faint; fear not, nor be alarmed, and do not be terrified of them."</p>	<p>”אל ירה לבבכם אל תיראו וכו'“.</p> <p>תנו רבנן: פעמיים מדבר עם, אחת בספר, ואחת במלחמה.</p> <p>בספר מה הוא אומר — שמעו דברי מערכי המלחמה, וחזרו.</p> <p>במלחמה מה הוא אומר: ”אל ירה לבבכם אל תיראו ואל תחפזו ואל תערצו“.</p>
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B. Ramban's commentary on Deuteronomy 20:4

<p>He states <i>to save you</i> meaning that they will be spared in battle and that not a man among them will be missing, for it would be possible that they vanquish their enemies and that many of them, too, would die, as is the way of battles.</p> <p>Therefore, Joshua cried out when <i>about thirty and six men</i> fell in [the battle of] Ai, for in His obligatory war <i>not one hair of their heads should have fallen to the ground, for the battle is the Eternal's</i>.</p> <p>Now the priest who serves G-d is to admonish [the warriors] to fear Him and give them assurance [of His help]. The officers, however, speak in the customary way of the world, <i>lest he die in the battle</i>, for in the normal course of events even some of the victors die.</p>	<p>ואמר "להושיע אתכם" - שהם ינצלו במלחמה ולא יפקד מהם איש, כי יתכן שינצחו את אויביהם וימותו גם מהם רבים כדרך המלחמות.</p> <p>ועל כן צעק יהושע בנפול מהם בעי כשלשים וששה איש (יהושע ז: ז - ט), כי במלחמת מצוה שלו לא היה ראוי שיפול משערת ראשם ארצה, כי לה' המלחמה.</p> <p>והנה הכהן שהוא העובד את השם יזהירם ביראתו ויבטיחם, אבל השוטרים ידברו בנוהג שבעולם "פן ימות במלחמה" - כי בדרך הארץ בכל המלחמות ימותו אנשים גם מכת הנוצחים.</p>
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C. Mishnah Sota, 8, 3

<p>The mishna continues its discussion of the speech given before battle. “And the officers shall speak further to the people, and they shall say: What man is there that is fearful and fainthearted? Let him go and return unto his house” (Deuteronomy 20:8). Rabbi Akiva says: “That is fearful and fainthearted” is to be understood as it indicates, namely, that the man is unable to stand in the battle ranks and to see a drawn sword because it will terrify him. Rabbi Yosei HaGelili says: “That is fearful and fainthearted”; this is one who is afraid because of the sins that he has; he, too, returns. Therefore, the Torah provided him with all these additional reasons for exemption from the army so he can ascribe his leaving to one of them.</p>	<p>וְיִסְפוּ הַשְּׁטָרִים לְדַבֵּר אֶל הָעָם וְאָמְרוּ מִי הָאִישׁ הַיָּרָא וְרַךְ הַלֵּב יֵלֶךְ וְיָשָׁב לְבֵיתוֹ. רַבִּי עֲקִיבָא אָמַר, הַיָּרָא וְרַךְ הַלֵּב, כְּמִשְׁמַעוֹ, שְׂאִינוּ יְכוּלִים לַעֲמֹד בְּקִשְׁרֵי הַמִּלְחָמָה וְלִרְאוֹת חֶרֶב שְׁלוּפָה. רַבִּי יוֹסֵי הַגְּלִילִי אָמַר, הַיָּרָא וְרַךְ הַלֵּב זֶהוּ הַמִּתְיָרָא מִן הָעֲבֻרוֹת שֶׁבִּידוֹ, לְפִיכָה תִּלְתֶּה לּוֹ הַתּוֹרָה אֶת כָּל אֵלוֹ, שְׂיִחְזֹר בְּגִלְלוֹ.</p>
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D. Abravanel’s commentary to Deuteronomy 20:10

<p>The third argument [for offering a peace settlement before engaging in battle] is that victory in war is never assured...We have often seen that a large army is defeated by a smaller one...Often those who are prevailing are defeated when fear destroys them. Sometimes the righteous prevail and sometimes they are defeated...Therefore it is better to seek peace than to rely on [always] uncertain victory.</p>	<p>הטענה השלישית היא כי נצחון המלחמות הוא דבר מסופק מאד...הלא ראינו אנשים רבים שיפלו ביד מעטים וחזקים ביד חלשים...וגם המנצחים פעמים רבות ינוצחו בבא כשואה פחדם ופעמים ינצחו הצדיקים בדינם ופעמים בהפך...ועל כן ראוי לבחור בשלום האמתי מלהבטיח בנצחון המסופק.</p>
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VI. What is the rationale for the exemptions?

A. Ramban's commentary on Deuteronomy 20:4

<p>He commanded that these three categories [of people] return because one's heart is on his [new] house, vineyard, and wife and he will [be the first to] flee.</p>	<p>וצוה על השלשה האלה לשוב, כי לבו על ביתו וכרמו ועל אשתו וינוס:</p>
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B. Deuteronomy 28:30

<p>If you [a man] pay the bride-price for a wife, another man shall enjoy her. If you build a house, you shall not live in it. If you plant a vineyard, you shall not harvest it.</p>	<p>אִשָּׁה תֵּאָרֵשׁ וְאִישׁ אַחֲרַי יִשְׁגְּלֶנָה יִשְׁכְּבֶנָה בְּיַד תְּבֹנָה וְלֹא־תֵשֵׁב בָּהּ כָּרֵם תִּטֵּעַ וְלֹא תִחַלְלֶנּוּ:</p>
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C. Rashi's comment on Deuteronomy 20:5

<p>[LEST HE DIE IN THE WAR] AND ANOTHER MAN DEDICATE IT — which is a matter that causes grief of mind.</p>	<p>ואיש אחר יחנכנו - ודבר של עגמת נפשת הוא זה:</p>
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D. Gur Aryeh, the Maharal of Pragues' supercommentary on Rashi's Torah commentary, Deuteronomy 20:5

<p>And it would seem that there are those who, contemplating the possibility that someone else will take possession of what was supposed to be his, will experience weakness of spirit, as Rashi explained: "This causes grief of mind". And because he experiences weakness of spirit, he encounters misfortune and dies on the battlefield. And it is this mindset that causes his death.</p>	<p>ויראה, משום שיש אדם בשביל שאחר יקח את שלו חלש דעתו עליו, כמו שפירש רש"י 'ודבר של עגמת נפש הוא', ובשביל חלש דעתו עליו אתרע ליה מזליה ומת במלחמה, ודבר זה גורם המיתה.</p>
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E. Torah Temima, an anthological commentary on the Torah, authored by Baruch ha-Levi Epstein (Novarodok and Pinsk, 1860–1941)

<p>"And another will dedicate it" – perhaps "another" means his son or his cousin? It is stated here "another" and it is stated elsewhere (Deuteronomy 28:30) "another". Just as "another" there refers to a stranger, so too "another" here refers to a stranger (Sifre).</p>	<p>ואיש אחר יחנכנו - יכול אחר בנו או בן דודו, נאמר כאן אחר ונאמר להלן ואיש אחר יקחנה, מה אחר דלהלן נכרי אף אחר שבכאן נכרי [ספרי]:</p>
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F. Commentary of R. Samson Raphael Hirsch, Deuteronomy 20:5

<p>The Torah emphasizes the crucial importance [even] in wartime of the normal peacetime tasks. When it explains the reason for returning from the battlefield is does not say that [the concern is that] the house will remain uninhabited, that the field will not be worked and that the woman will remain a widow, but rather: perhaps he will die in war and another will dedicate [the house], redeem [the vineyard], or marry [one's betrothed]. From this we learn of the Torah's insistence that every individual complete the normal tasks of peacetime. Therefore, one who was about to engage in such tasks when they were new to him [and one had not engaged in them] was exempt from military duty.</p>	<p>התורה מבליטה בשעת המלחמה את החשיבות המכרעת של תפקידי החיים של השלום, וכשהיא מפרטת את נימוקי החזרה, אין היא אומרת שהבית לא יהיה מיושב, השדה אל יהיה מעובד והאשה תהיה אלמנה, אלא: פן - ימות במלחמה ואיש אחר יחנכנו - יחללנו - יקחנה. ומכאן שהתורה מקפידה שכל אדם ימלא את התפקידים האלה של השלום, ולפיכך מי שעמד למלא את התפקידים האלה ביחס מסויים שהוא חדש לו, היה פטור מחובת המלחמה:</p>
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VII. The nature of the exemptions

A. Mishnah Sota 8:2

<p>Each of these men, although they are exempt, still hear the address of the priest and the regulations of war at the local camp, and thereafter they return to their respective homes. However, they still support the war effort, and they provide water and food for the soldiers and repair the roads.</p>	<p>כל אלו שומעין דברי כהן מערכי מלחמה וחוזרין, ומספקין מים ומזון ומתקנין את הדרכים:</p>
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B. Meshekh Hokhmah, a commentary on the Torah written by Meir Simcha HaKohen Dvinsk (1843-1926), Deuteronomy 20:5

<p>“He shall depart and return to his home”: This means that he should leave the battlefield in order to supply water and sustenance and to repair the roads (Sota 43a in the Mishnah) so that at the war’s conclusion he will be able to return to his home, and he will not be swept up [i.e., killed] in battle.</p>	<p>”ילך וישׁוב לביתו”. פירוש, ילך ממקום המלחמה לספק מים ומזון ולתקן הדרכים (סוטה מג, א במשנה), למען בכלות המלחמה ישׁוב לביתו, ולא יספה במלחמה ופשוט.</p>
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C. Mishnah Sota 8, 4

<p>These are the men who do not even move from their places because they do not even report to the camp: One who built a house and dedicated it within the year; one who planted a vineyard and used its fruit for less than a year; one who marries his betrothed and one who marries his yevama, his brother’s widow who must enter into a levirate marriage or perform <i>halitza</i>, as it is stated: “When a man takes a new wife, he shall not go out with the army...he shall be free for his house one year, and shall cheer his wife whom he has taken” (Deuteronomy 24:5). The mishna interprets the verse as follows: “For his house”; this means his house that he built. “He shall be”; this term includes his vineyard. “And shall cheer his wife”; this is his wife. “Whom he has taken”; this phrase comes to include his yevama, who is considered his wife with respect to this <i>halakha</i> although he has not yet married her. Those who are exempt for these reasons do not even provide water and food to the soldiers, and they do not repair the roads.</p>	<p>ואלו שאין זזין ממקומן. בנה בית וחנכו, נטע כרם וחללו, הנושא את ארוסתו, הכונס את יבמתו, שנאמר (דברים כד), נקי יהיה לביתו שנה אחת. לביתו, זה ביתו. יהיה, זה כרמו. ושמה את אשתו, זו אשתו. אשר לקח, להביא את יבמתו. אינן מספיקין מים ומזון ואינן מתקנין את הדרכים:</p>
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D. Mishnah Sota 8, 7

The mishna adds: **In what case are all of these statements**, with regard to the various exemptions from war, **said?** They are said **with regard to elective wars. But in wars** whose mandate is a **mitzva**, **everyone goes, even a groom from his room and a bride from her wedding canopy. Rabbi Yehuda said: In what case are all of these statements**, with regard to the various exemptions from war, **said?** They are said **with regard to wars** whose mandate is a **mitzva. But in obligatory wars, everyone goes, even a groom from his room and a bride from her wedding canopy.**

במה דברים אמורים, במלחמת הרשות. אבל במלחמת מצוה, הכל יוצאין, אפילו חתן מחדרו וכלה מחפתה. אמר רבי יהודה, במה דברים אמורים, במלחמת מצוה. אבל במלחמת חובה, הכל יוצאין, אפילו חתן מחדרו וכלה מחפתה:

E. Mishneh Torah, Laws of Kings and their Wars, Chapter 5, 1

<p><u>1</u></p> <p>A king should not wage other wars before a <i>milchemet mitzvah</i>. What is considered as <i>milchemet mitzvah</i>? The war against the seven nations who occupied <i>Eretz Yisrael</i>, the war against Amalek, and a war fought to assist Israel from an enemy which attacks them. Afterwards, he may wage a <i>milchemet hareshut</i>, i.e., a war fought with other nations in order to expand the borders of Israel or magnify its greatness and reputation.</p> <p><u>2</u></p> <p>There is no need to seek the permission of the court to wage a <i>milchemet mitzvah</i>. Rather, he may go out on his own volition and force the nation to go out with him. In contrast, he may not lead the nation out to wage a <i>milchemat hareshut</i> unless the court of seventy-one judges approves.</p>	<p><u>א</u></p> <p>אין המלך נלחם תחלה אלא מלחמת מצוה. ואי זו היא מלחמת מצוה זו מלחמת שבעה עממים. ומלחמת עמלק. ועזרת ישראל מיד צר שבא עליהם. ואחר כך נלחם במלחמת הרשות והיא המלחמה שנלחם עם שאר העמים כדי להרחיב גבול ישראל ולהרבות בגדלתו ושמועו:</p> <p><u>ב</u></p> <p>מלחמת מצוה אינו צריך לטל בה רשות בית דין. אלא יוצא מעצמו בכל עת. וכופה העם לצאת. אבל מלחמת הרשות אינו מוציא העם בה אלא על פי בית דין של שבעים ואחד:</p>
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E. Yerushalmi Sota 8, 10

The Sages say: a *milhemet mitzvah* – these are the battles fought by David; a *milhemet hovah* – these are the battles fought by Joshua.

R. Judah called *milhemet reshut* those wars in which we are the aggressors. *Milhemet hova* is one in which the enemy are the aggressors.

רבין אמרין מלחמת מצוה זו מלחמת דוד מלחמ' חובה זו מלחמת יהושע.

רבי יהודה היה קורא מלחמת רשות כגון אנן דאזלין עליהון. מלחמת חובה כגון דאתיין אינון עלינן.

VIII. The “Levite exemption”

A. Mishneh Torah, Laws of Shemittah and Yovel, 12, 13

Not only the tribe of Levi, but any one of the inhabitants of the world whose spirit generously motivates him and he understands with his wisdom to set himself aside and stand before God to serve Him and minister to Him and to know God, proceeding justly as God made him, removing from his neck the yoke of the many reckonings which people seek, he is sanctified as holy of holies. God will be His portion and heritage forever and will provide what is sufficient for him in this world like He provides for the priests and the Levites. And thus David declared [Psalms 16:5]: "God is the lot of my portion; You are my cup, You support my lot."

וְלֹא שָׁבַט לְוִי בְלִבְדָּ אֶלָּא כָּל אִישׁ וְאִישׁ מִכָּל בְּאֵי הָעוֹלָם אֲשֶׁר נִדְבָה רוּחוֹ אוֹתוֹ וְהִבִּינוּ מִדְּעוֹ לְהַבְדִּיל לַעֲמֵד לִפְנֵי ה' לְשָׁרְתוֹ וּלְעַבְדּוֹ לְדַעָה אֶת ה' וְהִלֵּךְ יֵשֶׁר כְּמוֹ שֶׁעָשָׂהוּ הָאֱלֹהִים וּפָרַק מֵעַל צַוָּאָרוֹ עַל הַחֲשָׁבוֹנוֹת הַרְבִּים אֲשֶׁר בִּקְשׁוּ בְּנֵי הָאָדָם הָרִי זֶה נִתְקַדֵּשׁ קִדְשׁ קִדְשִׁים וַיְהִי ה' חֵלְקוֹ וַנַּחֲלֵתוֹ לְעוֹלָם וּלְעוֹלָמֵי עוֹלָמִים וַיִּזְכֶּה לוֹ בְּעוֹלָם הַזֶּה דְּבַר הַמַּסְפִּיק לוֹ כְּמוֹ שֶׁזָּכָה לַכַּהֲנִים לְלוֹאִים. הָרִי דָּוִד עָלָיו הַשְּׁלוֹם אוֹמֵר "ה' מִנֵּת חֵלְקִי וְכוֹסִי אֶתָּה תוֹמִיךָ גּוֹרְלִי" (תהילים טז ה).