

A Jewish Perspective on War, Scripture, and Moral Accounting

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“You shall do the right and the good in the eyes of the Lord.” (Deuteronomy 6:18)

“When he is seated on his royal throne, he shall have a copy of this Teaching written for him... Thus he will not act haughtily toward his fellows...” (Deuteronomy 17:18-20)

“I have considered my ways and I shall return my steps to Your testimonies.” (Psalms 119:59)

Contemporary Jewish discussions of the ethics of initiating warfare (*jus ad bellum*) are often legal in character, building on the categories of war established by the Mishnah in reference to Deuteronomy 20. The Mishnah distinguishes between “obligatory” wars, on the one hand, and “optional” wars on the other hand. But the Mishnah and the discussions of the Mishnah in the Talmud offer little clarity as to what would make a contemporary war obligatory, optional, or, alternatively, prohibited by Jewish law.¹

Contemporary scholars engaging the Mishnah’s legal framework have generally ruled that “obligatory” wars are, above all, wars of self-defense; others, though, have pointed to the Torah’s demands to launch aggressive wars as well.² Some scholars have ruled that the category of “optional” wars has no legal validity in the present day; others, though, have stressed that this category can justify wars for the sake of power, territory, and glory.³ Some scholars, looking to legal texts that place limits on warfare, have developed the legal category of “prohibited wars”;

¹ Mishnah, Tractate Sotah, 8:7, explaining the deferments in Deuteronomy 20:5-9. The discussion of the Mishnah in the Babylonian Talmud is found in Tractate Sotah, 44b.

² On the obligation to engage in aggressive wars—to conquer the land of Israel, and to fight nations viewed as inheriting the identity of the biblical nation of Amalek, see Robert Eisen, *The Peace and Violence of Judaism: From the Bible to Modern Zionism* (New York: Oxford University Press, 2011), 152–153, 159; Reuven Firestone, *Holy War in Judaism: The Fall and Rise of a Controversial Idea* (New York: Oxford University Press, 2012), 289-293, 310-324.

³ Regarding the former possibility, that optional (or “discretionary”) wars have no legal validity, see Bradley Shavit Artson, *Love Peace and Pursue Peace: A Jewish Response to War and Nuclear Annihilation* (New York: United Synagogue of America, 1988), 190; Stuart A. Cohen, “The Changing Jewish Discourse on Armed Conflict: Themes and Implications,” in *Religion in World Conflict*, ed. Jonathan Fox and Shmuel Sandler (New York: Routledge, 2006), 65. Regarding the more permissive understanding of “optional wars,” see Michael Walzer, “Commanded and Permitted Wars,” in *Law, Politics, and Morality in Judaism*, ed. Michael Walzer (Princeton: Princeton University Press, 2006), 154; Firestone, *Holy War in Judaism*, 311.

others, often seeking greater license for war, have noted that the Mishnah does not offer a category of “prohibited wars” at all.⁴

Anyone seeking to “follow Jewish law” in deciding on the justice of a given war is unlikely to find clear direction. A widely echoed scholarly sentiment is that the Jewish legal tradition offers “little direct evidence regarding the grounds on which one should morally evaluate a war,” as Aryeh Klapper has put it.⁵ The classical legal tradition, in fact, has relatively little to say about warfare, especially because of the Jewish people’s limited experience with initiating war during most of Judaism’s formative period.⁶ Contemporary legalists have of course attempted to build new edifices of law, often hanging by a thread from the brief discussions of the Mishnah, Talmud, and the medieval codifications of Maimonides, but they have achieved little unanimity. There may seem to be broad agreement on certain principles, such as support for wars of self-defense, but there are significant disagreements on what constitutes legitimate self-defense.⁷ Not only are judgments concerning waging “optional wars” left to discretion, but judging the fundamental question of when war is obligatory, optional, or prohibited appears to be a matter of discretion.

The discretion that the legal system may grant, however, should not provide license to wage whatever wars one desires to wage. Discretion must be guided by virtues. Human beings are obligated to take guidance not only from properly-crafted rules but also from carefully-considered virtues. For Jews confronting a body of law that offers limited guidance, traditions about moral virtues are especially important. Nahmanides famously pointed out that the Torah does not offer rules for many cases; when dealing with an area without clear legal norms, one must “do what is right and good in the sight of the Lord” (Deuteronomy 6:18), conforming one’s behavior to the general requirements of moral virtue.⁸

The vague commandment to act virtuously, “to do what is right and good,” of course, does not clear up the ambiguities posed by the Jewish legal tradition on questions of initiating warfare. Nearly anything can be understood to be “right” and “good,” and specific virtues themselves can

⁴ See Michael Walzer, “War in the Jewish Tradition,” in *Jewish Choices, Jewish Voices: War and National Security*, ed. Elliot N. Dorff and Danya Ruttenberg (Philadelphia: The Jewish Publication Society, 2010), 61; Aviezer Ravitzky, “Prohibited Wars,” in *Law, Politics, and Morality in Judaism*, ed. Michael Walzer (Princeton: Princeton University Press, 2006), 169–181.

⁵ Aryeh Klapper, “Warfare, Ethics and Jewish Law,” *Meorot: A Forum of Modern Orthodox Discourse* 6, no. 1 (2007): 3.

⁶ See Cohen, “The Changing Jewish Discourse on Armed Conflict: Themes and Implications,” 59; Walzer, “Commanded and Permitted Wars,” 149–150.

⁷ Cohen, “The Changing Jewish Discourse on Armed Conflict: Themes and Implications,” 66; Stuart Cohen, “The Re-Discovery of Orthodox Jewish Laws Relating to the Military and War (Hilkhoh Tzavah U-Milchamah) in Contemporary Israel: Trends and Implications,” *Israel Studies* 12, no. 2 (2007): 16; Michael J. Broyde, “Fighting the War and the Peace: Battlefield Ethics, Peace Talks, Treaties, and Pacifism in the Jewish Tradition,” in *War and Its Discontents: Pacifism and Quietism in the Abrahamic Traditions*, ed. J. Patout Burns (Washington, DC: Georgetown University Press, 1996), 5–6.

⁸ See Nahmanides ad loc. On Nahmanides’ view of the obligatory nature of “doing the right and the good,” see Louis E. Newman, *Past Imperatives: Studies in the History and Theory of Jewish Ethics* (Albany: State University of New York Press, 1998), 36.

be interpreted in many different directions.⁹ For some interpreters, Moses, “more humble than any man” (Numbers 12:3), has been led by his humility to refrain from aggression; other interpreters, however, have seen Moses’s humility at work in his submission to God’s command to wage a genocidal war against Midian (Numbers 31).¹⁰ The proper contours of humility, or of any other virtue, must be worked out through a good deal of critical reasoning. This process requires, in part, what is best known in Hebrew as *heshbon ha-nefesh*, a phrase that may be translated as “self-reckoning” or as “moral accounting.”¹¹

The Moral Accounting of Kings

The eleventh-century Jewish philosopher Bahya ibn Pakuda was the first to stress *heshbon ha-nefesh* as an obligatory activity for all human beings.¹² This “self-reckoning,” as Bahya’s translator Menahem Mansoor renders the phrase, is a matter of considering the ideals of divine goodness, the reality of one’s own moral deficiencies, and the need for one’s own moral improvement. Insofar as he or she is able, a person is obligated to constantly consider the virtues that are the essence of divine goodness and to consider how to better develop and practice those virtues. “Self-reckoning,” Bahya wrote, “is binding upon each person according to his intellectual ability and power of discrimination, but at all times, with every blink of his eyes and with every breath he takes, if this is possible.”¹³ Bahya saw the obligation as a rational duty which may also be derived from a series of biblical verses, the first of which is the commandment in Deuteronomy 17:18-20 concerning the duty of a king to study Torah:

When he is seated on his royal throne, he shall have a copy of this Teaching written for him on a scroll by the levitical priests. Let it remain with him and let him read in it all his life, so that he may learn to revere the Lord his God, to observe faithfully every word of this Teaching as well as these laws. Thus he will not act haughtily toward his fellows or

⁹ Note, for example, the embrace of the commandment “to do what is right and good” by Meir Kahane, *The Jewish Idea*, trans. Raphael Blumberg, 2 vols. (Jerusalem: Institute for Publication of the Writings of Rabbi Meir Kahane, 1996), 77-78 and 134, which I discuss below in note 57.

¹⁰ See Geoffrey Claussen, *Sharing the Burden: Rabbi Simḥah Zissel Ziv and the Path of Musar* (Albany: SUNY Press, 2015), 57–58. I have developed my analysis on this point in a recent conference paper: “War, Musar, and the Construction of Humility in Modern Jewish Thought,” at Wake Forest University’s 2015 International Conference on Religion, Violence, and Peace, Winston-Salem, NC.

¹¹ These are the translations used by the two scholars on whose work I particularly rely in this essay. “Self-reckoning” is the translation used by Menahem Mansoor in his translation of Bahya ibn Pakuda’s *Duties of the Heart*; “moral accounting” is used by Nancy Sinkoff in her scholarship on Menahem Mendel Lefin.

¹² See Bahya ben Joseph ibn Pakuda, *The Book of Direction to the Duties of the Heart*, trans. Menahem Mansoor (Oxford: Littman Library of Jewish Civilization, 2004), chap. 8. *Heshbon ha-nefesh* is the Hebrew used by Yehudah Ibn Tibbon to translate Bahya’s Arabic. Note that Bahya’s language is focused on the duties of human beings in general, not just Jews in particular.

¹³ *Ibid.*, 399 (8.5).

deviate from the Instruction to the right or to the left, to the end that he and his descendants may reign long in the midst of Israel.¹⁴

A king would seem to be in particular need of moral accounting. Biblical kings were granted substantial discretionary power, as the biblical Book of Samuel indicates, especially so that they could effectively wage war.¹⁵ But their haughtiness and their power to wage war had to be checked by moral accounting. In the model offered by the Torah to which Baḥya refers, moral accounting would seem to be carried out through meditation on scriptures, what we might call a process of scriptural reasoning. A ruler should reason about his policies through careful consideration of the key virtues taught by the Torah.¹⁶ Though there are other practices that may encourage moral accounting, these verses ordain a practice of reading which is designed to direct the king towards humility and reverence for God—in Baḥya’s words, “so that fear, respect, and shame before God may never leave him.”¹⁷

Menahem Mendel Lefin’s Model

Baḥya’s language of “moral accounting” was taken up in the early nineteenth century by Menahem Mendel Lefin, the leading figure of the Polish Haskalah (the Jewish Enlightenment movement). Lefin was a scholar deeply concerned about moral education within the Jewish community; he was also involved with the education of non-Jewish nobility, serving as a tutor to Adam Jerzy Czartoryski, a young Polish prince and future foreign minister of the Russian empire.¹⁸ Lefin was not a scholar of international relations or war ethics any more than Baḥya Ibn

¹⁴ New Jewish Publication Society (NJPS) translation. The text is cited by *Ibid.*, 399–400, though verse 20 does not appear the printed text.

¹⁵ See I Samuel 8:20, and the discussion by Maimonides, “Laws Concerning Kings and Wars,” *The Code of Maimonides, Book 14: The Book of Judges*, trans. Abraham M. Hershman (New Haven: Yale University Press, 1949), 216 (Chapter 4, Halakhah 10). “The prime reason for appointing a king,” Maimonides writes, “was that he execute judgment and wage war.”

¹⁶ Along these lines, Alan Mittleman explains the passage from Deuteronomy as teaching “that he is to have a Torah scroll by his side and that he should be instructed in it so that his as yet unspecified power may be conditioned by the Torah’s principles of justice and reverence.” (*The Scepter Shall Not Depart from Judah: Perspectives on the Persistence of the Political in Judaism* [Lanham, MD: Lexington Books, 2000], 22.) Maimonides rules that a king must have a scroll with him even when—perhaps especially when—he goes out to war; see “Laws Concerning Tefillin, Mezuzah, and the Torah Scroll,” *The Code of Maimonides, Book 2: The Book of Love*, trans. Menachem Kellner (New Haven: Yale University Press, 2004), 7:2.

¹⁷ Baḥya ben Joseph ibn Pakuda, *The Book of Direction to the Duties of the Heart*, 399 (8.5). Compare Maimonides’s efforts to check the discretionary power of kings by insisting that “whatever he does should be done by him for the sake of Heaven” (“Laws Concerning Kings and Wars,” 216 [4:10]). See the discussion by Ravitzky, “Prohibited Wars,” 172–3. Ravitzky notes that “here, according to many readings, an opening existed to introduce the demand for value considerations on the part of the king himself, considerations that restrict and overrule his practical goals.”

¹⁸ Sometime around 1790, Prince Adam Kazimierz Czartoryski (1734–1823) hired Lefin as a tutor in philosophy and mathematics to his two sons, Adam Jerzy Czartoryski and Konstanty Adam Czartoryski; in the early part of the nineteenth century, Lefin joined Adam Jerzy Czartoryski in St. Petersburg while the young prince engaged in his foreign policy work. See Nancy Sinkoff, *Out of the Shtetl: Making Jews Modern in the Polish Borderlands* (Providence: Brown Judaic Studies, 2004), 52–3. Lefin was one of many tutors to the Czartoryski family; regarding the other tutors, and also Adam Kazimierz Czartoryski’s own interest in the education of military officers and public servants, see *Ibid.*, 63–4.

Pakuda was, but he, too, offered a vision of the process of moral formation that might be helpful for policymakers confronted with opportunities to wage war.

In 1808, Lefin published a book titled *Moral Accounting*, which offered a detailed program for moral improvement. Though he drew on Bahya's vision of moral accounting in many respects, he was convinced that contemplative exercises were insufficient for moral improvement. He instead borrowed a practical program that had been devised by the young Benjamin Franklin, a procedure of working on virtues one at a time and noting progressions and lapses in writing on an accounting ledger. Each week would be devoted to focusing on one of thirteen virtues, and the thirteen-week cycle would be repeated four times over the course of the year.¹⁹ Franklin saw this program as the foundation for an international political party—a “United Party of Virtue,” admission to which would depend upon engaging in this sort of rigorous self-examination.²⁰

In developing a Jewish version of this system for moral improvement, Lefin's book discussed a similar set of thirteen virtues, explaining each virtue with reference to its rationality and passages from the Hebrew Bible and rabbinic literature. Following Franklin, Lefin also recommended selecting a short, memorable phrase for each virtue which should be recited each morning:²¹ a Biblical verse, a passage from elsewhere in Jewish literature, or a phrase made up by the practitioner.²² The ideal practice was not to always have a Torah scroll at one's side, like the king in Deuteronomy 17, but rather to be judicious in selecting phrases that could aid human reason in remembering particular virtues. One should concentrate on the phrase “as if it was engraved on his heart, as if he saw it actually written in front of him, as if someone was whispering into his ear and as if he was repeating it after him.”²³ One should take stock of one's own character in light of such messages, regularly record one's findings on paper, and develop and implement a plan for improvement based on those findings.

Crucially, Lefin improved on Franklin's model by urging that such assessment be done along with a partner. “It is preferable,” he wrote, “that one undertake this course along with a friend, for then they can continually motivate each other, and each can benefit from the other's experiences.”²⁴ Drawing on the traditional Jewish practice of studying with a partner, he points out that self-improvement requires the voice of another person who will offer honest criticism and advice—perhaps one's wife, he advised his male readers, who “can test one most severely and most constantly.”²⁵ Or working with a master teacher, a rabbi, might be ideal; “however, as it is difficult to find a rabbi who is sound in all his ways, it is better to seek one teacher for some character traits and another teacher for other character traits, so that one may bind oneself to the

¹⁹ See Sinkoff, *Out of the Shtetl*, 139–141. Franklin's system is described in Benjamin Franklin, *Memoirs of the Life and Writings of Benjamin Franklin*, vol. 1 (Philadelphia: William Duane, 1818), 88-98.

²⁰ *Ibid.*, 99–100.

²¹ Menachem Mendel Levin [Lefin], *Cheshbon Ha-Nefesh*, ed. Dovid Landesman, trans. Shraga Silverstein (Jerusalem: Feldheim, 1995), 58 (paragraph 25).

²² *Ibid.*, 54 (paragraph 22); 70 (paragraph 35). As the latter passage indicates, Lefin followed Franklin in authoring his own phrases which he placed at the beginning of each of his chapters focused on particular virtues in his book.

²³ *Ibid.*, 55 (paragraph 22); Silverstein's translation.

²⁴ *Ibid.*, 67, 69 (paragraph 33); Silverstein's translation.

²⁵ *Ibid.*, 78, 80 (paragraph 44).

Lord's Torah, keep oneself from error, and straighten all of one's ways."²⁶ Given the inevitable flaws in the advice one may receive from others, opening oneself up to a number of trustworthy friends and teachers, and to multiple lines of constructive criticism, is ideal.

Certainly, at the very least, it is inadequate to engage in self-assessment with no outside feedback. One should not just assess oneself, but one should allow oneself to be assessed by another. Lefin supports this insight with words attributed to King Solomon in the Book of Ecclesiastes (4:9-10): "Two are better off than one...for, should they fall, one can raise the other."²⁷

Lefin saw, for that matter, the entire process of moral accounting as grounded in Scripture. He placed the words of a psalm attributed to King David at the front of his book: "I have taken an accounting of my ways [*hishavti derakhai*] and I have turned my steps to your testimonies [*vashiva raglai el edotekha*]" (Psalms 119:59).²⁸ King David functions as Lefin's exemplar who worked on his moral virtues (his "ways") so that they might more closely resemble perfect, divine virtues, here described as God's "testimonies." Such work is, as the Hebrew verse indicates, a process of "turning" (*teshuvah*, repentance), which begins with finding faults within oneself. The humility to acknowledge one's own shortcomings is, clearly, required for the work of moral accounting. Humility (*anavah*) is, here, a foundational virtue, joining the twelve other key virtues on Lefin's list: equanimity (*menuhat ha-nefesh*), patience (*savlanut*), order (*seder*), diligence (*haritzut*), cleanliness (*nekiut*), justice (*tzedek*), frugality (*kimutz*), industriousness (*zerizut*), silence (*shetikah*), gentleness (*nihuta*), honesty (*emet*), and chastity (*perishut*).²⁹

Though Lefin's favored virtues resemble Franklin's to a significant degree, Nancy Sinkoff has pointed out that Lefin was not aiming at developing a political party as much as he was on the defensive against a particular threat within the Jewish community: he was, above all, seeking to urge young Jewish men to resist the temptations of enthusiastic Hasidic pietism.³⁰ Lefin was certainly not focused on the questions of military policy that are the subject of this paper. But his program for avoiding impulsive, enthusiastic judgments—and for making thoughtful, reasoned judgments instead—is applicable to people in all walks of life, and certainly to the arena of war policy. Decisions to wage war may often be swayed by precisely the sorts of enthusiasm, pride, and confusion that Lefin warned against in *Moral Accounting*.

As David Fisher has argued in his book *Morality and War*, human history has regularly shown how the "heat, fury, and fog of war" prevent dispassionate ethical reasoning about the justice of waging particular wars. In order to engage in proper reasoning, Fisher has emphasized, all those involved in decision-making about war "need to have been trained and well practiced in

²⁶ Ibid., 80, 82 (paragraph 46).

²⁷ NJPS translation. Lefin cites the verse at Ibid., 80 (paragraph 45) and 68 (paragraph 33).

²⁸ Ibid., 24 (prior to paragraph 1).

²⁹ Where Lefin and Franklin's virtues match, I am following Franklin's English terminology in some cases, though I prefer "equanimity" to "tranquility," "diligence" to "resolution," "industriousness" to "industry," and "honesty" to "sincerity." Franklin included two virtues which Lefin did not include in his primary list—"temperance" and "moderation," which Lefin replaced with "patience" and "gentleness"—though Lefin included temperance and moderation in a supplemental list of other character traits "which, in our generation, often need rectification" (Ibid., 183, Silverstein's translation).

³⁰ See Sinkoff, *Out of the Shtetl*, 134ff.

the virtues.”³¹ The model of moral accounting advocated by Lefin is one of the models that might help provide for that sort of training.

Self-examination is an essential activity for everybody bearing the weighty responsibilities that come with warfare: for citizens who contribute to decisions regarding war and peace, for soldiers who make key decisions in the heat of battle, and especially for the civilian and military policymakers who bear ultimate responsibility for decisions about whether or not to initiate wars. Politicians, perhaps above all, are often untrained in the virtues and may be especially in need of the sorts of reflective exercises that Franklin and Lefin urged.³² Like the biblical kings who were easily led astray by the temptations of war, contemporary policymakers need all the scrutiny that they can get. As part of their work, policymakers grounded in the Jewish tradition might benefit from Lefin’s model of moral accounting—regularly assessing their equanimity, their justice, their humility, their honesty, and their diligence, among other virtues. In the pages that follow, I will consider the first of these two virtues: equanimity and justice.

Equanimity

Equanimity—a state of calmness and peace in the soul—is the first of the virtues which Lefin discusses in *Moral Accounting*, and it is a virtue which is referenced throughout the entire work.³³ Lefin sees equanimity as a state of inner composure which allows reason to rule the human being: “As long as a person’s mind is settled, one’s rational soul stands quietly on guard and flows into one’s brain, as if it were a torch atop the body.”³⁴ One should remember, Lefin suggests, the biblical teaching that “the human soul is the lamp of the Lord, searching every inmost part” (Proverbs 20:27)³⁵—that is, that the rational part of the soul may infuse its light into the rest of the human being if one has properly cultivated the virtue of equanimity. If one has not done so, however, one may be enveloped by a “fearful darkness,” or by desires which incite a person to be “like a bird rushing into a trap” (Proverbs 7:23).³⁶

The fear of death, Lefin points out, is an especially common fear which leads human beings astray.³⁷ But even a person who does possess equanimity in the face of death may not possess equanimity in the face of other destructive desires, as Lefin points out in the following example:

³¹ David Fisher, *Morality and War: Can War Be Just in the Twenty-First Century?* (New York: Oxford University Press, 2011), 249.

³² Michael Walzer suggests that military institutions often tend to the inculcation of moral wisdom to a significant degree: “they have a conception of how soldiering is a profession that has standards. They don’t want their profession to be confused with butchery. That is why military officers often have much higher standards of professional conduct than do the politicians who send them into battle”; see “Michael Walzer Talks to IC,” *In Character: A Journal of Everyday Virtues* (Fall 2009), <http://incharacter.org/archives/wisdom/michael-walzer>.

³³ Sinkoff makes this point at *Out of the Shtetl*, 153.

³⁴ *Cheshbon Ha-Nefesh*, 108 (paragraph 67).

³⁵ Based on the NRSV translation.

³⁶ *Cheshbon Ha-Nefesh*, 108, 110 (paragraphs 67–68).

³⁷ See his reflection at *Ibid.*, 84 (paragraph 49), on how death clouds the rational capacities of even the wisest men.

A general had been conditioned to fulfill his role through his spirit of pride and his envy of his colleagues, or through his love of his people. He stands at the head of his troops and sees devastating fire and death all around him, yet he is able to remain and plan the battle strategies with a clear mind—as if he were sitting serenely in his room. Yet, even someone as brave as him, whose courage is steadfast in the face of physical fear and danger, can become totally unnerved and unsettled by any fear having to do with love, pride, envy or loss of prestige.³⁸

In this example, the general developed his equanimity in the face of death by encouraging a series of other desires, failing to consider how those desires themselves might destroy his equanimity—especially in the context of war, where not only fear of death but many other passions may run wild.

Like most public figures, Lefin's general is particularly motivated by the desire for honor; he seeks to be envied by his colleagues and to be praised by the public. Contemporary war policymakers would do well to examine the same tendencies in their own souls. What do they hope will arouse the envy of their colleagues and the praise of the public, and are their hopes warranted? To what degree do they imagine war as a source of potential glory, or a source of meaning and fulfillment, and to what degree do they acknowledge the realities of what war may entail? To what degree do they have the foresight advised by Shmuel Ha-Naggid (Samuel ibn Naghrela), a rare Talmudic scholar who was also a military commander (in 11th century Spain) and who warned his audience that “first war resembles / a beautiful mouth we / all want to flirt with / and believe”?³⁹

The illusion that war is beautiful has often been linked with the idea that it can provide opportunities for personal glory, a notion which the Hebrew Bible—like many texts—may encourage. The Bible offers violent heroes like Phinehas, who hurls the first spear in the war against Midian, impaling his fellow Israelite, Zimri, and Zimri's Midianite consort, Cozbi. Phinehas is honored with a divine “pact of friendship [*berit shalom*]” bestowing the office of priesthood upon his descendants “because he took impassioned action for his God” (Numbers 25:12-13).⁴⁰ These verses heralding Phinehas's enthusiastic zealotry are, needless to say, not the sort of verses that Menahem Mendel Lefin recommended to his readers, and they are dangerous verses to recommend to those entrusted with decisions about war. Other Jewish commentators have, in fact, praised Phinehas as an exemplar of equanimity who acts with decisiveness and

³⁸ Ibid., 113 (paragraph 70); Silverstein's translation.

³⁹ Peter Cole, trans., *Selected Poems of Shmuel HaNagid* (Princeton: Princeton University Press, 1996), 106. The poem continues on, in Cole's translation: “Later it's more / a repulsive old whore / whose callers are bitter / and grieve.” For an alternative translation, see Leon J. Weinberger, trans., *Jewish Prince in Moslem Spain; Selected Poems of Samuel Ibn Nagrela* (University, Ala.: University of Alabama Press, 1973), 118. This text was first brought to my attention by Norman Solomon, “The Ethics of War: Judaism,” in *The Ethics of War: Shared Problems in Different Traditions*, ed. Richard Sorabji and David Rodin (Burlington, VT: Ashgate, 2006), 115. As Cole points out, it is based on an Arabic poem attributed to Imru Al-Qais (500-542).

⁴⁰ NJPS translation.

justice despite the dangers surrounding him.⁴¹ But Lefin's model of equanimity turns more to the cautions of the Book of Proverbs than to the glorifications of zealotry in the Book of Numbers; and that tendency towards caution is appropriate when it comes to decisions to initiate war. Even when a swift and decisive military operation may be necessary, a policymaker must be suspicious of the ways in which the promise of glory may motivate an unjust war.

Many other sorts of promises can, of course, also distort equanimity. Chris Hedges has documented at length, for instance, the ways in which war can seduce supporters by promising not only glory but also personal meaning and fulfillment.⁴² For those thinking within the context of the Jewish tradition, the promise that one's actions may help to contribute to a grand, messianic redemption can be especially enticing.⁴³ An attachment to one's own nation, as Lefin points out in his illustration of the general, can also distort equanimity; the general may be motivated to be calm in battle by his love of his people, but this same love can disturb his clarity of vision in other respects. So too, our sense of justice can work in cooperation with our equanimity, but it can also undermine it. In particular, our vision may be distorted by our inclination to see wars as just when they are carried out by our own nations, even when they produce much injustice. Those deciding on questions of war and peace should, undoubtedly, regularly be assessing how they have internalized their conceptions of justice.

Justice

As the tradition of "just war theory" suggests, war can only be just if, among other things, it is waged for just causes, and if those causes can be pursued without producing an excess of new injustices.⁴⁴ "Justice, justice, you shall pursue" (Deuteronomy 16:20)—as the classic rabbinic interpretation has it, the ends one seeks must be just, and the means to the end must be just as well.⁴⁵

While classical Jewish sources imagine that just causes can include specific, aggressive divine commands recorded in the Torah, or a king's desire for power, territory, and glory,

⁴¹ For a commentator who sees equanimity (*menuhat ha-nefesh*) as Phinehas's greatest excellence, see Simḥah Zissel (Broida) Ziv, *Sefer Hokhmah U-Musar*, vol. 1 (New York, 1957), 29; see also the discussion of praise for Phinehas in Geoffrey Claussen, "Pinḥas, the Quest for Purity, and the Dangers of Tikkun Olam," in *Tikkun Olam: Judaism, Humanism, and Transcendence*, ed. David Birnbaum and Martin S. Cohen (New York: New Paradigm Matrix Publishing, 2015). Many interpreters, however, have sought to limit praise for Phinehas: see Alan Mittleman, "The Problem of Religious Violence," *Political Theology* 12, No. 5 (2011): 722–726.

⁴² See Chris Hedges, *War Is a Force That Gives Us Meaning* (New York: Anchor Books, 2002).

⁴³ See Eisen, *The Peace and Violence of Judaism*, 147–160; Firestone, 162–178, 234, 251–313, 321–324; Claussen, "Pinḥas, the Quest for Purity, and the Dangers of Tikkun Olam."

⁴⁴ As Fisher puts it, just war requires "a just cause" and that "the harm judged likely to result from the war is not disproportionate to the good to be achieved, taking into account the probability of success" (66–7). Additionally, in the classic theory, war must be a last resort, it must be authorized by a competent authority, and it must be motivated by right intention.

⁴⁵ See Lenn Evan Goodman, *Love Thy Neighbor as Thyself* (Oxford: Oxford University Press, 2008), 22.

contemporary Jewish ethicists have tended to depict defense against aggression as the only legitimate cause for war.⁴⁶ But this tendency, I think, deserves scrutiny.

Defense against aggression is, surely, the most moral motivation for war. It is, accordingly, the most convincing. And so those who are inclined to support a war without sufficient cause on grounds of defense are nonetheless inclined to depict the war in question as a defensive war. The example of American war policy is instructive here: as Richard E. Rubenstein has argued, American military adventures of all sorts—including territorial power grabs—have routinely been justified by appeals to self-defense, to the need to rescue other oppressed peoples, and to the need to defeat an inherently aggressive enemy.⁴⁷ War advocates generally believe that they are acting defensively and, therefore, are armed with a strong sense of justice. Given this tendency, a critical accounting of a policymaker's sense of justice is especially important.

As noted above, justice (*tzedek*) is one of the thirteen virtues which Lefin singled out for particular attention in *Moral Accounting*. He defines justice simply, as a matter of “loving your fellow as yourself” (Leviticus 19:18) and, using the classic Aramaic paraphrase, as “not doing to your fellow that which is hateful to you.”⁴⁸ While Lefin suggests to his readers that special consideration may be given to fellow monotheists, he extends the reach of love and justice broadly to all human beings. At its foundation, in Lefin's view, justice mandates a loving regard for the dignity of all people, such that one should not do to others what would be hateful to oneself. For Lefin, meditating on this notion is key to the work of moral accounting; and it would seem to be a key piece of the accounting in which contemporary war policymakers might engage.

For the policymaker, examining and developing one's love, justice, and equal regard for other human beings might help to guard against the instinct to demonize one's enemies, to recognize the lives war may save, and to recognize the lives that war inevitably destroys.

Justice and Demonization

Those deciding on matters of war and peace should be especially wary of the temptation to demonize their enemies.⁴⁹ War encourages black-and-white thinking, a tendency to see oneself as good and one's enemies as evil. As Mark Juergensmeyer describes it, “War suggests an all-or-nothing struggle against an enemy whom one assumes to be determined to destroy.”⁵⁰ As Chris Hedges has put it, “War makes the world understandable, a black and white tableau of them and

⁴⁶ Elliot N. Dorff, *To Do the Right and the Good: A Jewish Approach to Modern Social Ethics* (Philadelphia: Jewish Publication Society, 2002), 174: “Initiating a war is justified only to save lives...” For an Orthodox view along the same lines, that of Moshe Feinstein, see Yitzchak Blau, “Ploughshares into Swords: Contemporary Religious Zionists and Moral Constraints,” in *Jewish Studies in Violence*, ed. Roberta Rosenberg Farber and Simcha Fishbane (Lanham, MD: University Press of America, 2006), 177–178.

⁴⁷ Richard E. Rubenstein, *Reasons to Kill: Why Americans Choose War* (New York: Bloomsbury Press, 2010).

⁴⁸ *Cheshbon Ha-Nefesh*, 148 (paragraph 90, and the header at the start of the chapter).

⁴⁹ Even outside of the context of war, such temptations are strong. For a summary of the research that shows “dehumanizing other groups” as “far closer to the norm for modern nation-states than it is an exception,” see John W. Traphagan, “Altruism, Pathology, and Culture,” in *Pathological Altruism*, ed. Barbara A. Oakley et al. (Oxford; New York: Oxford University Press, 2011), 276.

⁵⁰ Mark Juergensmeyer, *Terror in the Mind of God: The Global Rise of Religious Violence*, 3rd ed. (Berkeley: University of California Press, 2003), 152.

us. It suspends thought, especially self-critical thought.”⁵¹ As Richard Rubenstein has argued, viewing one’s opponent as “an enemy who incarnates the spirit of destruction—one who seeks to destroy the Good simply because it is good” supports the human impulse to justify war as a moral, defensive endeavor. When one’s enemy is the incarnation of evil, “the very existence of such a foe therefore implies a need for immediate self-defense and makes a case for a preemptive strike.”⁵²

The dehumanization of enemies has been encouraged by a broad range of cultures and texts, and the Hebrew Bible is certainly among those texts that have encouraged it. The Torah famously commands the extermination of Canaanites, Amalekites, and the aforementioned Midianites—in each case, indicating a need to defend Israel against its enemies, but clearly offering no explanations that could justify genocide.⁵³ “Mainstream” Jewish thinking may have long since rejected the possibility of putting such commandments into practice,⁵⁴ but the Bible’s tendencies to demonize the enemies of Israel has had continuing influence on certain streams in Jewish thought.⁵⁵ It has also inspired horrific violence—for instance, Baruch Goldstein’s massacre of Muslim worshippers in Hebron in 1994.⁵⁶ Goldstein was responding to the call of his teacher, Rabbi Meir Kahane, who had enthusiastically urged his students to cultivate virtues including justice and humility and to “do the right and the good in the eyes of the Lord.” Doing what is right and good in God’s eyes requires destroying evil enemies, Kahane wrote, as “we are commanded to ‘destroy evil from our midst’ (Deuteronomy 13:6) and ultimately, from our world.”⁵⁷

⁵¹ Hedges, *War Is a Force That Gives Us Meaning*, 10.

⁵² Rubenstein, *Reasons to Kill*, 67.

⁵³ For a summary of the attempts to justify this sort of thinking within the text of the Torah itself, see John J. Collins, *Does the Bible Justify Violence?* (Minneapolis: Fortress Press, 2004), 8–11. On later Jewish conceptions of the war against Midian as a defensive war, see Robert Eisen, “War, Revenge, and Jewish Ethics: Rabbi Shaul Yisraeli’s Essay on Kibiyeh Revisited,” *AJS Review* 36, No. 1 (2012): 149, 152–3, 157–8.

⁵⁴ “Mainstream halakhic tradition has long rendered the *cherem* [the “ban” demanding extermination] a thing of the pasts, with no present or future normative relevance. Analogous to the destruction of native peoples in North America, it burdens our collective memory, and is not held up as a standard for our political deliberations” (Noam J. Zohar, “Morality and War: A Critique of Bleich’s Oracular Halakha,” in *Commandment and Community: New Essays in Jewish Legal and Political Philosophy*, ed. Daniel H. Frank [Albany: State University of New York Press, 1995], 246).

⁵⁵ Eisen, *Peace and Violence*, offers a good survey of the history of Jewish thought on these questions.

⁵⁶ See the discussion in Juergensmeyer, *Terror in the Mind of God*, chap. 3, and the comment by Goldstein’s admirer Yochay Ron on p. 156 that “present-day Arabs are simply the modern descendants of the enemies of Israel described in the Bible for whom God has unleashed wars of revenge.” On the framing of Goldstein’s crime as essentially defensive, preventing “a savage attack” on the Jews of Hebron, see Elliott S. Horowitz, *Reckless Rites: Purim and the Legacy of Jewish Violence* (Princeton, N.J.: Princeton University Press, 2006), 315. For another example, consider the attitudes towards non-Jews invoked in justifying Israel’s 1953 attack on Kibiyeh, discussed with appropriate nuance by Eisen, “War, Revenge, and Jewish Ethics,” 147, 161.

⁵⁷ Kahane discusses the commandment “to do what is right and good” in *The Jewish Idea*, 1:134 and then goes on to discuss the commandment to “destroy evil from our midst” in *Ibid.*, 1:137. The chapter continues with further discussion of the obligation to hate enemies and to eradicate evil; the discussion of Deuteronomy 20 on p. 140 and the discussion of “not doing to your fellow that which is hateful to you” and the Midianites on p. 141 are particularly relevant for this article. I discuss Kahane’s focus on virtue in Claussen, “Pinhas, the Quest for Purity, and the Dangers of *Tikkun Olam*”; and in Claussen, “War, Musar, and the Construction of Humility in Modern Jewish Thought.”

Some Jews have seen all non-Jews as enemies, as essentially evil, and as possessing limited moral dignity, a trend which has been particularly prominent in kabbalistic literature. Classical kabbalistic writings are often quite clear in viewing the souls of non-Jews as demonic and as having little status in comparison with the souls of Jews: in the language of the Zohar, for example, “the souls of the nations stem from the demonic power, but the soul of Israel comes from the mystery of the divine.”⁵⁸ As Nancy Sinkoff has pointed out, the prevalence of such crude ethnocentrism in eighteenth century Poland was part of what Menahem Mendel Lefin’s model of self-assessment sought to attack. Lefin saw ethnocentrism as strongest within Hasidism, the sect of Kabbalah-inspired enthusiasts against which he directed much of his rhetoric in *Moral Accounting*. His stress on the dignity of all human beings, and the justice and love to which all are entitled, was a challenge to the dehumanizing tendencies of Hasidism.⁵⁹ Assessing and critiquing one’s sense of justice by asking whether one is properly “loving one’s fellow as oneself” should, in Lefin’s model, challenge such tendencies. I suspect that self-analysis of this kind can continue to be valuable to contemporary policymakers who are similarly tempted towards demonization of the Other, as so many people are in the face of war. While some parts of the Biblical tradition encourage the worst forms of demonization, critically assessing whether one has loved one’s fellow as oneself may help to counter this tendency.

Justice and Saving Lives

A commitment to love and an acceptance of the moral equality of other human beings may, at times, point to the value of war when war will clearly provide basic security that will save lives. As Amitai Etzioni has argued, acknowledging the value of saving human lives as the pre-eminent moral duty may require acts of war under certain limited conditions.⁶⁰ The commandment to love one’s fellows—and so to save them from unjust deaths—should require intervention through war when war can save the lives of one’s fellows, even if they live in other nations.⁶¹ Michael Wyschogrod rightly invoked the biblical corollary of the commandment to love one’s fellow—the commandment to “not stand idly by at the blood of your fellow” (Leviticus 19:16)—in calling for military intervention in cases of “abnormal evil,” to stop the “large-scale, premeditated murder of large numbers of human beings in systematic ways.”⁶² Policymakers should regularly assess themselves to see whether they are sufficiently outraged by this sort of evil, to ensure that they are not hiding their faces from the blood of their fellows, even when that blood is spilled on the other side of the world.

⁵⁸ Elliot R. Wolfson, “Ontology, Alterity, and Ethics in Kabbalistic Anthropology,” *Exemplaria* 12, No. 1 (2000): 143. For further discussion, see Elliot R. Wolfson, *Venturing Beyond: Law and Morality in Kabbalistic Mysticism* (New York: Oxford University Press, 2006).

⁵⁹ Sinkoff, *Out of the Shtetl*, 165.

⁶⁰ Amitai Etzioni, *Security First: For a Muscular, Moral Foreign Policy* (New Haven: Yale University Press, 2007), 193.

⁶¹ This was the framing of Francisco de Vitoria; see the discussion in Fisher, *Morality and War*, 222.

⁶² Michael Wyschogrod, “Religion and International Human Rights: A Jewish Perspective,” in *The Formation of Social Policy in the Catholic and Jewish Traditions*, ed. Eugene J. Fisher and Daniel F. Polish (Notre Dame: University of Notre Dame Press, 1980), 132, 139, as quoted by Dorff, *To Do the Right and the Good*, 176.

But, on the other hand, policymakers assessing their qualities of justice should also scrutinize how they respond to promises of military action in order to defend against aggression and to save human lives. They should consider, first, how arguments for defense may mask other motives; as suggested above, arguments for war routinely use defensive language, but a variety of other motives may be at play. Moreover, as also suggested above, a justly motivated war cannot be just if it will produce an excess of new injustices. As Rabbi Elliot Dorff has cautioned, appealing to a standard condition of just war theory, “war is permitted only when the anticipation is that the lives preserved by waging a defensive war are likely to be greater in number than those lost through the war itself.”⁶³ Needless to say, such anticipation must be grounded in honesty about the limits of foresight, an honest reading of the historical data on the consequences of war, and concern about the way in which our senses of justice, moral outrage, zeal, pride, hope and fear can prevent honest assessments.

Even the best of intentions that seek out justice can, of course, distort our clarity of vision; defense policymakers need to consistently watch the ways in which their vision may be distorted by their refusal to “stand idly by the blood of their fellows.” Wars carried out for clearly just causes, seeking to preserve the lives of clearly innocent people, may certainly lead to greater losses of innocent life in the long-term, though the consequences of war are often uneasy to predict. It is hard to appreciate the death, injury, and trauma that may be caused by efforts to defend innocent lives; it may be easier to imagine that one’s good intentions will lead to good consequences.

A policymaker seeking to take account of how well he or she acknowledges the destructive power of war might turn to one ancient understanding of the biblical character of Abraham as he participated in the first war described in the Bible, a war which he joined in order to rescue his nephew Lot from captivity (Genesis 14).⁶⁴ According to one midrashic interpretation attributed to Rabbi Levi, Abraham was deeply afraid that he might have killed an innocent, righteous individual in the course of the war. God affirms the validity of this concern, while reassuring Abraham that he has been miraculously shielded from such a misdeed—“Fear not, Abram,” God says. “I am a Shield to you” (Genesis 15:1).⁶⁵ God, in this model, affirms Abraham’s misgivings and would want future policymakers to share Abraham’s concern for innocent lives destroyed by war.⁶⁶

A policymaker’s accounting of one’s sense of justice should follow this Abrahamic precedent; even when military action seems to have a just cause, one should be extremely aware of the new injustices that a war might produce. And even if one can honestly anticipate that a war will save more lives than it will destroy, such that the war can be justified, one should still join Abraham in “being afraid” for every innocent life destroyed.

⁶³ Dorff, *To Do the Right and the Good*, 174.

⁶⁴ According to midrashic tradition, this was the first war ever in history. See the discussion by Artson, *Love Peace and Pursue Peace*, 63.

⁶⁵ Genesis Rabbah 44:4. In translation, see H. Freedman and Maurice Simon, eds., *Midrash Rabbah* (London: Soncino Press, 1939), 1:362–3. My translation of Genesis 15:1 is the NJPS translation.

⁶⁶ Yitzchak Blau, “Biblical Narratives and the Status of Enemy Civilians in Wartime,” *Tradition* 39, no. 4 (2006): 14–15; Eisen, *The Peace and Violence of Judaism*, 90.

But a policymaker holding the midrashic narrative of Abraham before his or her eyes should be aware of the ways in which the midrash can also be used to discourage this sort of moral accounting. After all, one might understand God's reassurance to Abraham as offering a promise that God will *always* shield Abraham—and his descendants—from causing injustices. Abraham's faithful descendants, in this view, can always be assumed to be righteous, whereas their enemies will be wicked. Thus, in Deuteronomy 33:29, God can be described as Israel's "protecting Shield"—such that "your enemies shall come cringing before you, and you shall tread on their backs."⁶⁷ Meditating on the description of God as a shield, then, may produce a triumphal assertion of one's own justice rather than a critical investigation into one's justice.⁶⁸ The policymaker who takes an accounting of his or her sense of justice should proceed carefully when reasoning in light of Scripture, wary of the temptations that biblical texts may offer, cautious not to proceed ahead "like a bird rushing into a trap" (Proverbs 7:23).

The Moral Accounting of Policymakers

Equanimity and justice are among the virtues that those deciding on matters of war policy should regularly assess. A number of the other virtues highlighted by Menahem Mendel Lefin would also seem to merit particular attention. Among them is a virtue translated above as "diligence" (*haritzut*), an appropriate sort of decisiveness which is neither overly hasty nor overly cautious; Lefin stresses caution, but also stresses that one must train oneself to arrive at rational decisions and act on them with relative speed.⁶⁹ Honesty is another key virtue, discussed above in numerous places: a policymaker must be honest about the realities of war, honest about his or her claims to be on the side of justice, honest about the limits of his or her knowledge, and honest about his or her biases and interests.

Humility is another key virtue mentioned throughout this essay. Appropriate humility guards against the pride that distorts equanimity; humility guards against the personal and national pride that may cause policymakers to ignore the suffering of others, especially those beyond their borders; humility also guards against the tendency of policymakers to overestimate what various policies can accomplish. And humility is required in order to undertake the process of moral accounting at all, as moral accounting requires openness to hearing the critiques of others, acknowledgement of one's own weaknesses, and submission before God.

Can we imagine war policymakers possessing this sort of humility? Even if we can imagine the policymaker who is dedicated to private, contemplative exercises (as Bahya ibn Pakuda might recommend), it might be especially hard to imagine the policymaker who would submit the results of his or her moral accounting to the sort of external critique that Menachem

⁶⁷ NJPS translation.

⁶⁸ See the discussion in Blau, "Ploughshares into Swords: Contemporary Religious Zionists and Moral Constraints," 179. Blau discusses there the extreme example of Rabbi Dov Lior, who writes that "the attribute of compassion is a hereditary trait of Am Yisrael [the Jewish people]...one inherits this characteristic without ever having to learn it." As Blau explains, "According to R. Lior, Jews proceed through life without any need to work on their moral selves, having been biologically assured of their moral superiority."

⁶⁹ *Cheshbon Ha-Nefesh*, 134–139 (paragraphs 81–83). For David Fisher's contemporary model of how scrutiny can take place even in very brief time periods, see Fisher, *Morality and War*, 251.

Mendel Lefin would advise. But Lefin's model of a rigorous program of self-examination carried out in conversation with various mentors—each with their own expertise, each bringing their own critical perspective—is an important model for anyone seeking guidance from the Jewish tradition. It is a model that might be extended in various ways beyond what Lefin himself described. We might imagine, for example, that hearing the perspectives of teachers from beyond one's nation and beyond one's tradition might be especially helpful to policymakers. Opening oneself up to such critique would require particular humility, but it would also help to further instill the qualities of humility and the other virtues that are so important for war policymakers to develop.

I do not mean to suggest, here, that policies should rely only upon virtuous decision-makers without reference to laws, rules, principles, and institutions. Developing good laws, rules, principles, and institutions is essential; and policymakers should ideally be assessed not only on their moral character but on how well their proposed policies adhere to specific principles or laws.⁷⁰ But for those thinking about war and peace through a Jewish lens, seeking guidance from the virtues is especially important. As the Jewish legal tradition is often deeply ambiguous or underdeveloped on questions of war and peace, the Jewish virtue tradition can provide rich resources. That tradition is itself also ambiguous—the virtues that it praises can, as I have indicated, be understood in a variety of ways and as supporting a wide range of behaviors. But it is a tradition which can be appropriately guided forward by our continued critical thinking regarding the virtues, and by the sort of moral accounting that helps to prepare us for making the most serious sorts of moral decisions.⁷¹

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⁷⁰ See Fisher, *Morality and War*, 250–1.

⁷¹ I am grateful to Amy Allocco, Katy Claussen, Sarah Holland, Lynn Huber, Toddie Peters, Michael Pregill, Jeffrey Pugh, L.D. Russell, Sara Salwen, Safia Swimelar, and Pamela Winfield for their thoughtful questions and comments in response to earlier versions of this article.