



Fear and Concern

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Throughout the world there are heated conversations about the war activities in Gaza. Knowing that world Jewry is supportive of our righteous actions to defend Israel, hundreds of thousands of Jews and non-Jews in North America and the United Kingdom have rallied on behalf of Israel. To show support for our chayalim and for the freeing of our hostages. We will be victorious because we have no choice and because we are united throughout the world to achieve this just goal.

Yet it is not only our cause that is righteous, but the way we are waging the war, too, with concern for the needs of civilians in Gaza, a population that lies somewhere between guilt and innocence, a factor in military decision making. This is true even as Hamas has taken over their hospitals and kindergartens, with “civilian” homes used for storing munitions caches and disguising hidden tunnels built underneath their domiciles, and with long- and short-range missiles nestled in the orchards. The question of how to think about this civilian population is anything but straightforward.

While international law would allow us to destroy locations that have been turned into factories of warfare, our military tries to differentiate between terrorists and those civilians who are not proactively engaged in warfare against Israel. This is why the IDF has been careful entering hospitals which were used as terrorist headquarters, places through which hostages were tunneled to other parts of Gaza. We have been risking our soldiers' lives instead of carpet-bombing areas with these tunnels and arms caches. We have been providing safe passage out of the North of Gaza, allowing for humanitarian convoys, and announcing to civilians in multiple ways to leave the area, in order to limit casualties.

Yaakov Avinu, like us in Israel and our men and women in the IDF, found himself approaching a hostile enemy. With four hundred men in tow, Eisav approaches Yaakov, who is accompanied by his family and his flock. Unsure of the upshot of meeting with his brother Eisav, who years earlier had committed to killing him, Yaakov is concerned. The Torah describes these emotions using somewhat redundant language – Vayira Yaakov meod vayetzer lo, ‘And Yaakov was fearful and concerned.’ Why the use of the dual terminology of fear (vayira) and concern (vayetzer)?

Rashi, citing Breishit Raba, suggests that Yaakov has, in fact, two different concerns regarding the encounter that lies ahead of him. ‘And Yaakov was fearful – lest he or members of his family be murdered; and he was concerned – lest he kill others.’ With a potential battle on the horizon, Yaakov is not only fearful for his own life and that of his family; he is, in that very moment, deeply concerned about the prospect of killing others.

This concern for killing others, however, is puzzling, as Yaakov has a halakhic responsibility to protect himself and his family. As the Talmud states ‘if one approaches to kill you, you shall preempt them and kill them.’ In fact, that is why the current war in Gaza is classified as a milchemet mitzvah, an obligatory war, because like in Jacob’s situation it is about defending our lives. The Maharal, in his supercommentary on Rashi entitled Gur Aryeh, explains that Yaakov thought that perhaps some of Eisav’s entourage was forced to join the posse against



Jacob and his family without any interest in harming Yaakov. If the members of Eisav's clan were intent on attacking Yaakov and his family, then it would be not only appropriate, but even required to destroy them. But if they had no intention of attacking Yaakov and his family, then Yaakov was concerned about the possibility of killing them – even though, as part of a group of enemy combatants, their lives could morally be a form of collateral damage.

Yaakov's concern is based on our moral compass striving to do what is right and just. We wage war based on our values. We are not like the terrorists, who have only brought death and destruction to their own citizens, to us in Israel, and to all of human society. We believe in life and in goodness. That is why Yaakov feels pulled by his concern that even in war we need to be just – even if the consequence of such a paradigm puts ourselves at greater risk. We are not just concerned with protecting our own lives, but in doing our very best to make sure we protect the lives of the innocent or quasi-innocent. After all, we are Jacob's children.

To root out Hamas, to ensure both national and global security, let alone some modicum of justice, is certainly justified. But we have all heard from soldiers and commanders on the front lines as they navigate the war strategy for Gaza, sharing their concerns of how to exercise the right dosage of restraint, so as not to sacrifice either our soldiers' safety or other Jewish values. How do we maintain our humanity, as we carefully respect the humanity of others yet unflinchingly take out those who deny our humanity and have debased their own? It is this caution and thoughtfulness with which the Jewish people wage war, in a manner that many militaries could never imagine. It is in the spirit of Yaakov that we carry our banner, attuned to the complex calculations of warfare – yet fully prepared to wage this just obligatory war.