

If Haredim Must Serve in the IDF, Should Young Jewish Men in the Diaspora Also Be Required?¹

By: ARI (CHWAT) SHVAT

Israel today is preoccupied with the urgency of drafting additional combat soldiers into the IDF, especially after so many of its best soldiers have fallen or have been wounded over the past two years. The political “exemption” of *haredim* discussed in the daily news, promises, once again, to be one of the central debates in future elections. There are simply not enough combat soldiers in the IDF.

There are many complicated *sugyot* in halakhah, but drafting yeshivah boys into the Israeli army is not one of them. Simply put, today’s wars in Israel are *milhemet mitzvah*, obligatory wars. A Mishnah in *Sotah* (8:7) tells us explicitly that all healthy men must serve in such wars.

Many point to *haredim*—especially those who are not really learning Torah full-time, where there is no halakhic justification for them not to observe this great mitzvah, especially with the formation of *haredi* units—as the primary culprits. On the other hand, it is also true that this obligation applies equally to all healthy Jewish boys and men in the diaspora, especially those who are working or studying at universities.

In a *milhemet mitzvah* there is no military exemption for yeshivah boys who learn Torah full-time. How much more so is this true if they are also learning secular studies at, e.g., YU or Touro, whether they are Israeli cit-

¹ This article will *beẓ”H* be the basis of a chapter in my forthcoming book, *Authentic Judaism Includes Eretz Yisrael*.

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izens or not. When *Am Yisrael* is in danger, it makes no difference according to halakhah what citizenship or passport one carries.

The Superior Halakhic Imperative of War

It may sound surprising, but there are no genuine halakhic authorities who disagree with Rambam, who rules that there are no military exemptions for a *milhemet mitzvah*. “What is considered a *milhemet mitzvah*?” One type is “A war fought to defend Israel from an enemy which attacks them.”² Fighting Hamas clearly exemplifies this type of *milhemet mitzvah*. In short, if there are Jews in Israel, whether religious or not, whether you like the State or not, it is a *milhemet mitzvah*. (The only exemption might be if one believes that Zionists are not really Jews. Even then, however, he would be obligated to save Israel’s non-Zionists.)³ There is no need for a Sanhedrin to declare this type of *milhemet mitzvah*, for our enemies will not

² Rambam, *Hilkhot Melakhim U-Milhamoteihem* 5, 1–2; *Meiri, Sotah* 44a; *Bah, Or. H.* 249:1. I elaborated on this point in my article, “In Milhemet Mitzvah Everybody Goes” [Hebrew], *Minhat Sapir: A Festschrift Presented to Yitzchak Sapir*, (Prof. Y. Rosenson and Dr. Y. Spanier, eds.), pp. 633–653, but not in the context of *haredim* or boys from abroad. Regarding the wars of the IDF, see for example R. E. Waldenberg, *Resp. Tzitz Eliezer*, III, 9 and VII, 48; R. BZ. M. Ch. Uziel, *Resp. Mishpetei Uziel* VIII, 21, 9; R. Y. Herzog, *Resp. Heikhal Yitzhak*, *Or. H.* 31; R. K. Tchorsh, “Milchemet Reshut, Mitzvah and Obligatory,” *B-Tzomet Ha-Torah v-Ha-Medina*, Jerusalem 5751, pp. 243–252; R. Ovadiah Yosef, *Resp. Yehaveh Da’at* II, 14; R. Moshe Feinstein, *Iggerot Moshe Y.D.* IV, ch. 33 (“The matter of [serving in] the IDF is a great one”) and *H. M.* II, 78 (“Only when the gentiles attacked Israel like Antiochus... where it is for self-defense, we went out to war during the Second Temple”); R. Ephraim Greenblatt, below fn. 66; R. Y. Y. Halberstam (Sanz-Klausenburg Rebbe), *Resp. Divrei Yatziv*, *H. M.* ch. 81, 3; R. Sh. Z. Auerbach, *Resp. V-Alehu lo Yivul* III (R. N. Stepansky), 354; R. Asher Weiss, <https://shorturl.at/51NqV>; R. Michael Rosenzweig, “Perspectives on Encountering and Responding to Evil in the World,” *Doresb Tzion*, Adar 5784, p. 80, and as heard from R. Herschel Schachter, see below fn. 141. For additional sources see below fn. 45. It should be noted that even if some of the aforementioned *poskim* might hold that learning Torah may at some stage be more important than serving in the IDF, at time of war, the status of *milhemet mitzvah*, **by definition**, supersedes learning Torah. All this would apply theoretically in Warsaw as well. See also below in fn. 61 regarding the second alternative of *milhemet mitzvah*, protecting the Land of Israel, and fn. 136

³ R. Yoel Teitelbaum, *Concerning Redemption and Forgery* [Hebrew], 109. I tend to believe that even he did not really believe that, and would not allow a woman to marry someone else if she is already betrothed to a Zionist.

“freeze” and wait the decades necessary for us to revive the Sanhedrin.⁴ This is a classic example of “whoever comes to kill you, **precede** and kill him **first**.”⁵ There is no time to wait.

No Exemptions for Yeshivah Boys in *Milhemet Mitzvah*

As soon as we classify a war *milhemet mitzvah*, we immediately know that there are no military exemptions. Even the five famously exempted by the Torah from optional wars⁶—one who is scared, just planted a vineyard, just built a house, and just betrothed or wed a bride—are obligated to participate in an obligatory war. The explicit Mishnah leaves no room for excuses. “In *milhemet mitzvah* **everybody** goes, even a groom from the *yibud* room and a bride from her *huppah*.⁷

Anyone familiar with the precise and classic “golden wording” of Rambam knows that there is no way he may have accidentally “forgotten” any exemptions in *milhemet mitzvah*.

Netziv, Rav Kook’s⁸ *rosh yeshivah* in Volozhin (d. 1893/ג'תרנ"ג), and himself a supporter of religious-Zionism and *Hovevei Tzion*,⁹ apparently already felt a need to relate frequently to the forthcoming Israeli army.¹⁰ He writes that yeshivah boys make the best soldiers:

⁴ R. Kook, *Resp. Mishpat Kohen* 144, p. 336–337; R. Moshe Feinstein, above fn. 2.

⁵ *Sanhedrin* 72a, based upon *Shemot* 22:1: “If, while breaking in, the thief is discovered, and he is struck and dies, [it is as if] he has no blood.”

⁶ *Devarim* 20: 5–8 and 24: 5.

⁷ *Mishnah Sotah* 8:7 and Rambam, *Hil. Melakhim u-Milhamoteihem* 7, 4. I elaborated on this in my article, “In *Milhemet Mitzvah* Everybody Goes.” See above fn. 2. I dealt there also with the question of drafting religious girls, but here we specifically deal with the shortage of frontline combat soldiers.

⁸ Rav Kook undoubtedly relates more than any other rabbi of his stature, to the imminent military revival of the IDF and the importance of physical strength for the nation of Israel and for the individual Jew. For example, see below fn. 60. I strongly suggest my article, “The Importance of Military and Physical Strength in the Thought of Rav A.Y. Kook” [Hebrew], *Shma’atin* 184 (שבט, תשע"ג), 149–174, to raise one’s understanding of our topic.

⁹ R. Betzalel Landau, “The Netziv of Volozhin in the Battle for Eretz Yisrael and Her Holiness” [Hebrew], *Niv Ha-Midrashia* 11 (תשל"ד), 251–277.

¹⁰ R. Y. Hagger-Lau, *Ha-Hayil v-Ha-Hosen*, records many places where Netziv relates in his commentary to the Jewish army. Similarly, the author compiles there a similar disproportionate phenomenon in the writings of Netziv’s contemporary, R. Meir Simḥah Ha-Kohen of Dvinsk (d. 1926/ו'תרפ"ו), himself a supporter of the J.N.F., in his classic works, *Meshekeh Hokhmah* and *Ohr Same’ah*.

“Choose men for us [and go fight with Amalek],” Strong men as is the nature of war, and the Targum [translates]: “[men] of *mitzvoṭ*,” meaning strong men in “the war of Torah” [=yeshiva men], for they are especially capable in natural [=military] war, as we have written numerous times.¹¹

Similarly, according to the *tanna* R. Yossi Ha-Glili, the most religious are the last ones who should be exempted even from an optional war, for they have fewer sins.¹²

Like the Netziv, the Hafetz Hayyim also foresaw the imminence of the IDF. When asked by Jews drafted into the Czarist army, he forbade them to maim themselves to get exempted, but encouraged them that soon we will return to *Eretz Yisrael* in the era of Mashiah, and will need a Jewish army, and thus they have the opportunity to prepare for the army of the State of Israel.¹³

From personal experience, whenever discussing this question, *haredim* quickly revert to citing several *aggadot*,¹⁴ something they would not do on any other halakhic issue, for we all know we do not learn halakhah from *midrashei aggadot*.¹⁵ Surely, regarding issues of life and death, and especially

¹¹ R. N. Tz. Y. Berlin (Netziv), *Ha'amek Davar*, *Shemot* 17:9.

¹² *Sotah* 43b. See below fn. 22, that rabbis should be the first to volunteer to transgress the Shabbat to save Jews.

¹³ Personally heard by R. Tz. Y. Kook from a Torah scholar, *Sifot Ha-Rav Tzvi Yehudah* (R. Sh. Aviner, ed.), *Devarim*, p. 263.

¹⁴ Most particularly the *aggadot* in *Nedarim* 32a, *Sotah* 10a, and *Sanhedrin* 49a, but it should be noted that these sources, as many midrashim, are one opinion and subject to debate. Also, they do not refer to national *milhemot mitzvah*, but rather optional wars, and usually explicitly refer to Torah scholars and not young yeshivah boys! Just one example of one of the most oft-quoted midrashim cited by R. Yitzhak Yosef and others to exempt yeshivah boys is *Midrash Tanhuma* (Warsaw) *Matot* 3. On the verse regarding G-d's revenge on Midian, “A thousand for each tribe, a thousand for each tribe, from all the tribes of Israel you shall send into the army” (*Be-Midbar* 31:4). The midrash says, “Some say 2,000 from each tribe, and some say 3,000 from each tribe, 12,000 to fight, and 12,000 to watch their things, and 12,000 to pray.” First, we all know not to learn halakhah from a midrash, especially when it contradicts the halakhic sources (Rambam, et al.). Second, it does not say to learn, but rather to pray. Third, this is not a defensive war but rather a war of revenge (*Be-Midbar* 31:2–3) and that is why only 1,000 per tribe went, and not the entire nation. In a defensive war, everybody goes; see above fn. 7.

¹⁵ I elaborated on the topic in my articles “The Validity of ‘Obligating’ Midrashim: The Approach of Ramban in Light of His Dispute in Barcelona” [Hebrew], *Tzohar* 11 (קיץ תשס"ב), 49–68, especially in fn. 40 where I discuss Rabbenu Tam's

midrashim which contradict the *p'shat* (literal meaning of *Tanakh*) known to every child—that when counting the “*yotzei tzava*,” those that go out to the army, all men of Israel aged 20 and up are counted and included.¹⁶ The *Ohr Ha-Hayyim* explains that miraculously none, even among the elderly, were not fit to fight, as opposed to the Gr”a who opines that the numbers there include all men except the sick and elderly who could not fight.¹⁷

The goal of those aforementioned *aggadot* and *midrashim* (which we will not cite in this halakhic article so as not to erroneously lend any halakhic legitimacy to them) which presumably exempt Torah students from wars, were written as theoretical, and not meant to be taken literally as halakhic. Anyone familiar with rabbinic literature recognizes that in generations where there was no Jewish army, there was a strong tendency to “spiritualize” the military aspects of *Tanakh*,¹⁸ taking the verses out of context, to remain relevant during exile. A classic example is a midrash which says that Moshe killed the Egyptian who struck the Jewish slave by saying G-d’s Name,¹⁹ although the Torah says he struck the Egyptian. Moreover, Moshe did not know G-d’s Name until 40 years later after asking Him at the burning bush.²⁰ The educational goal of these midrashim is undoubtedly to strengthen spirituality and Torah study in general.

There is never in *Tanakh* or in halakhic sources, any exemption for Torah scholars. To the contrary, the halakhah is that in a defensive war, even on Shabbat, it is a *mitzvah* upon all Israel to come and fight to defend their brothers and save them from their attackers.²¹ The halakhah even clarifies that rabbis and learned Jews should be the first ones (and clearly

dissenting opinion, but even he agrees that midrashim cannot contradict regular halakhic sources (*Resp. Rabbenu Tam*, p. 81); “The Innocent in *Tanakh* but Guilty in Midrashim” [Hebrew], *Talelei Orot* 12 (תשס”ו), 13–99.

¹⁶ See, e.g., more than 10 times just in *Be-Midbar* 1. *Ramban*, *Be-Midbar* 1:45 stresses that the census is for military preparation in the planned imminent conquering of Israel. Regarding counting the tribe of Levi, see the following paragraphs.

¹⁷ On *Be-Midbar* 1:20.

¹⁸ For other clear examples, see *Temurah* 16a, that Otniel conquering the city of Kiryat Sefer refers to his innovating many halakhot. See also *Be-Midbar Rabbah* 13:10; *Ruth Rabbah* 4:3; *Yalkut Shimoni: Ha’azinu*, *remez* 945; *Shoftim*, *remez* 42; I Samuel, *remez* 125; II *Melakhim*, *remez* 249; *Yeshayah*, *remez* 394 and *remez* 436. I elaborate on this type of midrash in my forthcoming article in *Oreshet* 8 (5786), “Midrashim Which ‘Spiritualize’ Biblical Military Verses to Be Relevant in the Exile” [Hebrew].

¹⁹ *Shemot* 2:12, *Tanḥuma* (Warsaw) *Shemot* 10.

²⁰ *Shemot* 3:13–14.

²¹ *Rambam*, *Hil. Shabbat* 2:23.

not the last!) to do so.²² All agree that defensive wars even supersede the negative commandments on Shabbat (punishable by death). This includes every four-hour patrol (every time a jeep driver steps on the gas or brakes), even just to prevent or deter possible danger,²³ and even just to drive back on Shabbat so as not to deliberate next time before going out to fulfill this all-important mitzvah.²⁴ Accordingly, how much more so do they supersede the positive command of learning Torah, which itself does not allow the transgression of Shabbat.

Another demonstration of the halakhic importance of this mitzvah is that in extreme cases, Noda B-Yehudah and subsequently others²⁵ rule that saving the nation of Israel is the only justification for *giluy arayot* [forbidden sexual relations], one of the three cardinal sins, which otherwise may not be violated even to save many lives.²⁶ Our sages learn this from both Yael and Esther. The sages commend Yael for seducing the Canaanite general Sisera seven times.²⁷ They also commend Esther, who, in the turning point of the plot in the Megillah, heroically and voluntarily went to be with Ahashverush, despite her being married to Mordechai.²⁸ Both Yael and Esther did so to save Israel. It is worth noting that the famed R. Ya'akov Emden (Ya'avetz) points out that Sisera's army was already decimated by the time of Yael's seduction. Nevertheless, her *giluy arayot* is permitted and commended, even if only to prevent a future war.²⁹

Similarly, Deborah explicitly praises the tribe of Issachar (said in a midrash to have learned Torah all day³⁰), the rabbis (*hokekei, mehokekim*,

²² Ibid., 2:3, that we do not look for a *Shabbos Goy* (gentile) or child under Bar Mitzvah. *Ran, Shabbat* 40a, explains, so that bystanders will not think it is better not to (*b-dieved*), and not a *mitzvah (l-hatilah)*.

²³ *Shulhan Arukh*, and *Rema, Or. H.* 329:6, and even a preemptive strike.

²⁴ Rambam, *Hilkhot Melakhim U-Milhamoteihem* 2:23, see below fn. 133; *Shulhan Arukh*, *ibid.*, 9.

²⁵ *Resp. Noda B-Yehudah*, Y. D. 161; Rav A. Y. Kook, *Mishpat Kohan* 144; R. M. Feinstein, *Iggerot Moshe, Or. H.* iv, 75; R. Y. Y. Halberstam (Admor m-Sanz-Klausenburg), *Resp. Divrei Yatziv* (above in fn. 2). I elaborated on this topic in "Having Forbidden Sexual Relations for State Security" [Hebrew] *Tehumin* 30 (ע"ת), 68–81, also regarding possible differences between Yael and Esther.

²⁶ Mishnah *Terumot* 8:12; Rambam *Hil. Yesodei Ha-Torah* 5:5; *Rema Y. D.* 157:1; as opposed to *Resp. Maharik* 167 and *Arukh Ha-Shulhan E. H.* 178:28 who say that saving many lives may also permit the transgression.

²⁷ *Nazir* 23b.

²⁸ *Megillah* 15a.

²⁹ *Hiddushei Ya'avetz*, on *Nazir* 23b, as explicit in Judges 4:16–17.

³⁰ *Beresheet Rabbah* 99:8.

literally, deciders of halakhic law), and the scribes who all went out in that defensive war, and she curses those who did not.³¹

The closest oft-quoted source one can find for perhaps exempting yeshivah boys from the IDF, usually cited by the *haredim*,³² is a “pseudo-halakhic” paragraph from Rambam at the end of the *Laws of Shemittah* and the *Book of Zeraim*:

(13:12) Why did the **Levites** not receive a portion in the inheritance of *Eretz Yisrael* and in the spoils of war like their brothers? Because they were set aside to serve G-d and minister unto Him and to instruct people at large in His just paths and righteous judgments, as [*Devarim* 33:10] states: “They will teach Your judgments to Jacob and Your Torah to Israel.” Therefore, they were set apart from the ways of the world. **They do not wage war like the rest of Israel**, nor do they receive an inheritance, nor do they acquire for themselves through their physical power. Instead, they are G-d’s legion, as it [*ibid.*:11] states: “G-d has blessed His legion” and He provides for them, as it [*Numbers* 18:20] states: “I am your portion and your inheritance.”

(13:13) Not only the tribe of Levi, but any inhabitant of the world motivated by his wisdom to set himself aside and stand before G-d to serve and minister to Him and to know G-d... removing from his neck the yoke of the many reckonings which people seek, he is sanctified as holy of holies. G-d 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 *e”h* declared: “G-d is the lot of my portion; [You are] my goblet, You support my lot.”³³

Those claiming that Rambam here exempts yeshivah boys from Jewish army service, posit that if paragraph 12 teaches that the tribe of Levi (including Kohanim) “do not wage war like the rest of Israel,” and paragraph 13 states that anyone, even from other tribes (and apparently even gentiles, “any inhabitant of the world”), can volunteer to be like Levi, so yeshivah boys also do not have to “wage war like the rest of Israel.”

³¹ Judges 5:9, 14–15, and in the classic commentaries there, *Rashi*, *Radak*, *Metzudot*, R. Yishayah M-Trani, et al. See below, fn. 95.

³² See, e.g., Chief Rabbi Yitzhak Yosef, “If they force us to go to the army, we will all leave Israel” [Hebrew], Ynet, <https://www.ynet.co.il/judaism/article/rjtfaectp>; R. H. D. Ha-Levi, below fn. 58; R. Y. M. Tikotchinsky, “Freeing Yeshivah Boys from the Draft” [Hebrew], *Ha-Torah v-Ha-Medinah* 6 (תשי”ד), 50. This is the first and major source dealt with in the booklet by Y. Meizlish and N. Shnarb, “To the Aid of G-d Among the Mighty” [Hebrew], (תשמ”ה) pp. 2–4.

³³ Rambam, *Hil. Shemittah v-Yovel* 13:12–13, based upon Psalms 16:5.

Nevertheless, the following difficulties of such an attempted proof are obvious:

- a. If Rambam meant to exempt yeshivah boys, he would have said so in the laws of war (precisely called *The Laws of Kings and Their Wars*), together with all other exemptions. It immediately sounds suspicious that this idea is found among the agricultural laws of *Shemittah*! The obvious reason is that this is the final paragraph in Rambam's extensive *Book of Agricultural Laws*. As is usually the case, and similar to Talmud Bavli (with which he is contending or emulating),³⁴ Rambam finishes 13 of his 14 Books in the *Yad Ha-Hazakah* with nice thoughts or ideas, in place of the regular *halakhot*. Here, too, after an entire Book teaching how we must give the many various tithes mainly to the Kohen and Levi, many Jews are bound to ask, "Why am I less fortunate or spiritual, just because I am not from Levi? Do they have a monopoly on spirituality?" Comes Rambam and appeases us, that we can also "be spiritual like Levi." On the other hand, this obviously is not meant to be taken literally nor is it a halakhically practical direction, for surely Rambam forbids a yeshivah boy to eat *bikkurim*, *terumah* or *hallah* as if he were a Kohen (he may even be deserving of death!³⁵) if he is not biologically from that tribe. So, too, the seeming exemption from war is also only "biological," and forbidden to be taken literally or halakhically.
- b. It surely cannot be taken literally as an exemption for yeshivah boys, for Rambam himself, as we saw, wrote the opposite among the laws of exemption of war ("in *milhemet mitzvah* everyone goes, even a groom from the *yibud* room and the bride from her *huppah*"). Also, in the laws of Shabbat he wrote, "it is **a mitzvah for all Israel whoever can come and aid their brothers** under siege and save them from the gentiles." Not to mention that such an understanding contradicts the entire *Tanakh*, where our spiritual heroes lead the military, and we never find any "religious" exemptions for *milhamot mitzvah*.³⁶
- c. Even if one does take this literally and prove that any yeshivah boy (and gentile) can volunteer to be just like Levi, we know that Kohanim and Levi'im do go to *milhemet mitzvah* like the rest of Israel. They may be exempt from optional wars, but everyone knows (from "*Al Ha-Nissim*") that Judah Maccabee and his brothers were Kohanim and

³⁴ Rambam, introduction to *Mishneh Torah*.

³⁵ Mishnah, *Hallah*, 1:9; *Bikkurim* 2:1; *Sanhedrin* 83b; Rambam, *Hil. Bikkurim* 3:1.

³⁶ See notes 16–31 and 60–62.

they led the wars of Chanukah, for they were *milhamot mitzvah*. Similarly, Benayahu ben Yehoyada was a general in King David's army, even though he was a Kohen³⁷ and forbidden to touch corpses, for there is no exemption whatsoever regarding "the enemies of G-d where it is a *mitzvah* [to fight]... against the nations who trouble Israel. There is no differentiation between Kohanim and Israel... just as Pinhas (a Kohen) defiled himself for a *mitzvah* when he killed Zimri and Kazbi, and he went to war with Israel against Midian."³⁸ Accordingly, "they do not wage war **like the rest of Israel**," may exempt them from optional wars, but not from *milhemet mitzvah*.

Alternatively, R. Velvel Soloveitchik, usually revered and heeded by *haredim*, proves that Rambam means to say here that even Kohanim and Levites are only exempt if they are not necessary. But if they are needed, as is the case today, they must serve even in optional wars, even giving up their lives to help the Jewish national pride or economy.³⁹ How much more so, in obligatory wars!⁴⁰ Hazon Ish, perhaps the chief authority in *haredi* circles, writes similarly.⁴¹

- d. It is ludicrous to think Rambam comes to prove there is an exemption for yeshivah boys from King David (among the greatest warriors in Jewish history), whom he cites in the last line. To the contrary, we see that when David proclaims "G-d is the lot of my portion," he is including going out to wars of *mitzvah*, which is part of serving G-d, even more so than observing Shabbat (which it "supersedes").

Any knowledgeable Talmudic student will immediately notice that if this is the strongest halakhic source⁴² they can find to exempt yeshivah

³⁷ I Chronicles 27:5.

³⁸ R. David Kimchi (Radak), II Samuel 23:20.

³⁹ See below fn. 131. As we mentioned below (fn. 67), there are no optional wars today when we have no Sanhedrin.

⁴⁰ R. Y. Z. Soloveitchik (GrIZ), on *Sotah* 43a, where he cites Rambam, *Hil. Melakhim u-Milhamoteihem*, 7, 8, that a Kohen who takes a new wife who is prohibited for him (e.g., a divorcée) is not exempt from optional wars, proving that Kohanim do participate even in optional wars. This is even more true when needed in a *milhemet mitzvah*.

⁴¹ Hazon Ish, *Hidushim on Eruvin, Likutim* 114:3.

⁴² Some also cite *Bava Batra* 7b, that rabbis who are *tzadikim* are exempt from the tax for the upkeep of a protective wall and for paying watchmen because they do not need protection. Radbaz *Resp. I*, 1752, and Hatam Sofer, however, explain there that rabbis are obligated to give their share regarding protection from the gentiles. Radbaz adds there, already about 500 years ago, that "I am doubtful if there is today anyone [on that level] who does not need protection. I will not

boys, they have a weak “case.”⁴³ The *haredi* opinion is clearly not from this aggadic “law” of *shemittah* nor any other halakhic source which all say to the contrary.

R. Hayyim David Ha-Levi attempted to exempt yeshivah boys from service in the IDF based on this Rambam in the laws of *shemittah*.⁴⁴ After a *rosh yeshivah* asked some of the aforementioned questions, the author in a later volume humbly confessed, admitting that one cannot really learn any practical halakhic exemption from this aggadic source, which contradicts many clear halakhic sources.⁴⁵ R. Eliezer Melamed writes that misconstruing this Rambam is a classic example of “a mistake in study counts as deliberate sin.”⁴⁶

Similarly, R. Yitzhak Yosef’s recent declaration that even if a *haredi* is not learning Torah he should not serve in the army,⁴⁷ proves that his previous assertions exempting particularly yeshivah boys based on this Rambam,⁴⁸ was just an excuse for his general fear that army service may change *haredi* society. It is viewed as a serious threat to breach the walls of what Prof. Menachem Friedman termed their relatively newly-titled “society of

get into this topic now because my words will upset some of the scholars.” Even though *Rema*, Y.D. 243:2, does apply this exemption to one who is “accepted as a *talmid hakham* in his generation, who knows himself to discuss Torah in depth and knows most of the places in Talmud, the commentaries and the decisions of the *geonim*.” I have no doubt that most 18-year-old yeshivah boys do not fall into this category. Also, the role of the IDF today is not just to protect oneself, but mainly to protect civilians, most of whom are not rabbis.

⁴³ R. Hayyim Navon, from Yeshivat Har Etzion, *Musaf Mekor Rishon*, 15 Adar A 5784, summarized their sources as no less than “infantile,” and that the learned among them obviously know that: <https://www.makorrishon.co.il/opinion/737049/>.

⁴⁴ R. H. D. Ha-Levy, *Resp. Aseh Lekha Rav* III, 57.

⁴⁵ Ibid., V, 114. See below fn. 58, where he elaborates his practical opinion. For the refutation of the understanding of that Rambam, see Rav Kook, *Shabbat Ha-Aretz* ch. 13, *halakhab* 12, par. 1; R. BZ. M. Uziel, *Resp. Mishpetei Uziel* VIII, 21:9, and *Hoshen Mishpat* 3; R. Y. Groubart, *Havalim Ba-Ne'imim* I, 132; R. A. Levin, *Arnei Hefetz* 90, 7–8; R. Yehuda Gershuni, “On the Strength and the Wars,” *Tehumin* IV (א"משה), p. 8.

⁴⁶ Mishnah *Avot*, 4:13, see <https://www.inn.co.il/news/685234>.

⁴⁷ <https://vinnews.com/2024/07/17/rabbi-yitzchak-yosef-whoever-receives-draft-notice-should-tear-it-up-and-not-go/>

⁴⁸ Above, fn. 32.

learners.”⁴⁹ It is a classic case of first firing the arrow and only then painting the target around it. Nonetheless, the army’s recent decision to accommodate any request of the *haredi* rabbis regarding the new *haredi* units⁵⁰ should seemingly alleviate this fear. The real problem, however, is, “it is difficult to take the Jews out of exile, but even harder to take the exile out of the Jews.”⁵¹

Similarly, when parents of boys in YU and Touro fear sending their sons to the IDF, they should realize that Israeli parents feel the same. It is as if the parents were opposing their child observing Shabbat or going to yeshivah. In war, even the soldier himself is not allowed to fear,⁵² and surely, the fear of parents or rabbis bring no halakhic exemptions.

Soldiers are obligated, but also *haredi* rabbis and American parents should heed the words of *Sefer Ha-Hinukh* in this context, not to be afraid.⁵³ “Every single one in Israel should place their faith in G-d, and not fear in a situation where one can give honor to G-d, blessed be He, and His nation [Israel].”⁵⁴

Practically Speaking Today

On the level of *milhemet mitzvah*, there is no need to deal with the question of how much time, effort or money one must invest. When dealing with a *mitzvah* for which one must endanger one’s life,⁵⁵ those general limits (e.g. *Takanat Usha*⁵⁶) do not apply.

⁴⁹ In Hebrew, “*hevrat lomdim*,” Prof. Menachem Friedman, *Society and Religion—The Non-Zionist Orthodox in Eretz Israel: 1918–1936* [Hebrew] (Jerusalem, 1977).

⁵⁰ <https://9779.mod.gov.il/>; <https://www.ynet.co.il/news/article/h1zx1jsk0>.

⁵¹ See below fn. 655.

⁵² *Devarim* 7:17–18; *ibid.*, 20:1, 3; Rambam, *Sefer Ha-Mitzvot, lo ta’aseh* 58 and *Hil. Melakhim u-Milhamoteihem* 7:15; *Sefer Ha-Hinukh, mitzvah* 525.

⁵³ Rabbenu Yonah Gerondi, *Sha’arei Teshuvah* 3:31, broadens the prohibition beyond the battle, for everyone not to fear any approaching trouble.

⁵⁴ *Sefer Ha-Hinukh, mitzvah* 525, this is applied there even to an optional offensive war just for national needs.

⁵⁵ See below fn. 132.

⁵⁶ *Ketubbot* 50a. I elaborated on this topic in my article, “The Standard of Living as an Excuse for Not Making Aliyah” [Hebrew], *Tehumin* 22 (תשס"ב), 355–368. See also *Hiddushei Ha-Rashba, Bava Kamma* 9b; *Resp. Rivash* 387, where there is no limit on how much one must invest regarding negative *mitzvot* because of their importance.

There are *poskim* who proclaimed the obvious, that when war breaks out, all yeshivah boys must help out (as they did in the War of Independence⁵⁷), but they add that they need not train ahead of time, and can do the untrained non-combat jobs.⁵⁸ The problem today is that the shortage in the IDF is for frontline soldiers, of the type that even women “combat” soldiers cannot help. Modern warfare is different than in Biblical times, when the soldiers were generally from the regular population and not professional, and could be handed spears and commanded to “charge.” Today, significant training must be done beforehand, e.g., to fly airplanes, drive tanks, etc.

During the present war, *Tzahal* has developed shortened training programs for combat units, to hasten the draft of many yeshivah boys and young *kollelniks* from the Zionist *yeshivot gevobot* and *mechinot* who have yet to be trained. Even more important, the higher-level combatants, most sorely needed, have their training now shortened to 6 months for *tankists*, and only 4 months for infantry, clearly doable for American students.⁵⁹ I am confident that the YU and Touro administrations will accommodate their soldiers in this important endeavor (as do the Israeli universities and colleges).

The present wars with Hamas, Hezbollah, and Iran are likely to pre-occupy us for a long time, so boys training now will not “miss out” on this great obligation. Even if we do somehow *beẖ”H* find a diplomatic solution to achieve temporary quiet, it would be foolhardy to believe that this is a permanent solution. We now know our enemy’s ideology and must accordingly prepare for the next round. We cannot continue to look for excuses not to draft more frontline combat boys.

Precedents from *Tanakh* and Rabbinic Heroes

Looking for precedents, Rav Kook points out that the heroes of *Tanakh* all served in the army to help conquer or defend the Land or Nation of Israel.⁶⁰ The heroes whom we are meant to emulate include Abraham,

⁵⁷ M. Ehrenwald, “Haredim in the War of Independence” [Hebrew], תל אביב תשע”ז.

⁵⁸ R. . D. Ha-Levy, *Resp. Aseh Lekha Rav* III, 58; VII, 72.

⁵⁹ In response to R. Michael Rosenzeig, mentioned above in fn. 2.

⁶⁰ Rav A. Y. Kook, *Orot*, 13–14. It is worthy to point out the historic background of that *Orot Ha-Milhama*. It was written while Jabotinsky, Trumpeldor, and others founded the Jewish Legion to aid the British army in WW I against the Turkish Empire. With his classic historic vision, Rav Kook already saw this small group of Jews (albeit predominantly non-religious, like Trumpeldor, Ben-Gurion, and Ben-Tzvi) fighting as Jews in the Jewish Land for the first time

who not only risked his life but chased after the four northern kings who kidnapped (sound familiar?) Lot, to save him. Moses gave up his regal future to save a Jew being beaten by an Egyptian. The entire book of Joshua deals with conquering the Land of Israel. Surely, he would have defended her if the Land were already in our hands!⁶¹ We do not know very much from *Tanakh* about Otniel, Gideon, Yiftach, Samson, *et al.* We do know, however, that the *Tanakh* goes out of its way to stress a central point in their lives, that they served in the Israeli army to defend their nation. King David and all his descendants, all the way down to the Maccabees, and according to historians, Rabbi Akiva's 24,000 yeshivah students who were the backbone of the Bar Kochva rebellion—all of them were pivotal warriors in Israel's wars.⁶²

True, two thousand years in *galut* have warped our view of the original ideal Jew. Rashi and Rabbenu Tam did not serve in the military. There is definitely no *mitzvah* to serve in the French army. It causes *bitul Torah*, Shabbat desecration, and the consumption of non-kosher food. Even more fundamentally, how is one allowed to murder people on the opposing side just because King Ferdinand or Napoleon got angry or was in an imperialistic mood? How much more so the Cantonists who kidnapped Jews for 25 years and baptized them.⁶³ There was little motivation to serve an army that was often used **against** them (not to mention that the local population often did not want or trust the Jews in their armies).

since the Bar Kochva rebellion with historic and even messianic significance, as the beginning of the revival of the original Authentic Jew.

⁶¹ See Rambam, *Hil. Ta'anot* 2:1–3, that for the enemy to take away land from Israel is also considered “*hatzarat sone'i Yisrael*,” similar to the definition of *milhemet mitzvah*, “*ezrat Yisrael miyad tzar sheba aleihem*.” Ramban, *Sefer Ha-Mitzvot, asef* 4, lists conquering the Land of Israel as a *mitzvah* in all generations. It appears from Rambam that this type of *milhemet mitzvah* is only to conquer from the seven Canaanite nations. (See *Mishneh Torah, Hil. Melakhim u-Milhamoteihem* 5:1 and similarly in his *Commentary to the Mishnah, Sanhedrin* 1:1). From his *Commentary to the Mishnah, Sotah* 8:6, however, it appears that Rambam agrees, for he explains that an optional war is to conquer “**other lands** of the other nations,” inferring that liberating the Land of Israel from those other nations is also a *milhemet mitzvah*, as inferred by Rashi, *Sanhedrin* 2a and by Ramban. In any event, we see that Rambam agrees that if the gentiles want to take away land from us, it is a *milhemet mitzvah* at least for one (attacking *Am Yisrael*), if not two reasons (also attacking *Eretz Yisrael*).

⁶² See my article, “Six Comments Regarding R. Akiva and the Bar Kochva Rebellion” [Hebrew], *Ha-Ma'ayan* 229 (ניסן, תשע"ט), 31–35.

⁶³ See Y. Mendelevich, *The Cantonists* [Hebrew] (Jerusalem, 2010).

Yes, for two-thousand years, Jews did everything (including forging documents and maiming themselves) to avoid serving in the gentile armies.⁶⁴ Inevitably, this fear and recoil from military service became ingrained in Jewish practice and psyche. In short, *galut* warped the picture of the “ideal Jew.” Nevertheless, now that we have returned to our Land, the time has come for *haredim* and Jews in America to rediscover the original Jew, who understood his obligation and was proud to serve in the Jewish army.⁶⁵

I have a previously unpublished responsa in Hebrew which I personally received from R. Ephraim Greenblatt, author of *Responsa Riverot Ephraim*. He was one of the closest students of R. Moshe Feinstein, and after the latter’s passing, one of the leading halakhic authorities in the United States. He answered my question 27 years ago regarding serving in the IDF. He then offered some surprising, proud, and unknown revelations regarding his own personal decisions and experiences (translated from his Hebrew; the bold stress is mine – A.S.):⁶⁶

[Apparently] I did not explain properly regarding the **obligation** of serving in the army to fight the Arabs. For two years preceding the founding of the State, I fought in the Lechi [underground Stern Gang], fighting against the British and the Arabs. I also fought in the War of Independence to liberate Katamon, Ein Kerem, and more, and in the IDF in the war for the Negev, **feeling an obligation demanding to defend our brothers**, Bnei Yisrael. I felt no need to “*pasken*” that it is a *milhemet mitzva* because a Jew today does not fight an optional war,⁶⁷ for the sake of fighting, but when the Arabs

⁶⁴ *Resp. Noda B-Yehudah* II, 74. See *Hatam Sofer, Resp. H. M.* 29, where his carefully selected wording is clearly out of suspicion that the non-Jewish authorities may see his answer (“... silence is better than our speaking on this issue... he should try whatever he can to exempt through money [bribery]”). The topic was usually not dealt with in writing for fear of anti-Semitic reprisal. See R. S. Turk, *Resp. Pri Malkah*, 64. A notable exception was R. D. Z. Hoffman, *Resp. Melamed L-Ho’ee*, 42, where the predominant agenda of being “good German citizens,” and perhaps fear of anti-Semitic reprisal during this sensitive period of emancipation, undoubtedly influenced such opinions. Similarly, Rabbi J. Hertz, the chief rabbi of England, advocated military service for the Jews in WW I, as part of the exchange for their equal rights. See R. S. Glitzenstein, Rav Kook’s secretary in H. Lifshitz, *Shinhei Ha-Raiyah*, 124–126, where Rav Kook, contrarily, attempted to exempt as many Jews as possible on the basis of giving them somewhat fictitious clerical certificates for the rabbinate, even though some were not even religious.

⁶⁵ R. Kook, see above fn. 60.

⁶⁶ Dated 23 Nissan 1999/ט'שנ"ט.

⁶⁷ *Sanhedrin* 2a.

attack, we must defend our nation of Israel and go out to fight against them... I even received a citation of honor...

The Ideas Behind the Halakhic Imperative: Fighting Evil, *Imitatio Dei*, and Life-Giving Salvation

While the Jews were battling the pagan and immoral Romans, Jesus was learning Torah, spiritually wandering the Judean desert with his ascetic friends, contemplating “how to be good,” with teachings like “resist not evil” and “turn the other cheek.” Not only the heroes of *Tanakh*, but also his fellow rabbis, ideologically and practically rejected Jesus’ pacifistic approach.

Judaism believes in fighting evil, especially to save *Am Yisrael*. When a fellow Jew is in danger—and even more so when G-d’s nation of Israel is at war—the Jewish definition of being good, moral, and kind is to help our brothers and save them from their ruthless enemies, chase the pursuer,⁶⁸ and not stand idly by as their blood is spilt.⁶⁹ We need to deter the evil with force.⁷⁰ The wars of Israel are a war against wars,⁷¹ and as such are a shining example of morality.

Rambam writes that wars are just, moral, and meant to deter our enemy and the wicked. “The king’s... purpose and intent shall be to elevate the true faith and fill the world with justice, **destroying the power of the wicked** and waging the wars of G-d.”⁷² Elsewhere, he adds regarding the benefit of many *mitzvot*:

The sixth type [of *mitzvot* are] precepts [including] most of the laws contained in the section *Shoftim* (including his *Laws of Kings and Their Wars* – A.S.) which belong to this class. Their benefit is obvious; for if sinners and robbers were not punished, injury would not be prevented at all: and persons scheming evil would be that much more

⁶⁸ The positive commandment of saving from a *rodef*, pursuer, *Devarim* 25:11–12; *Sanhedrin* 73a; Rambam, *Hil. Rotze’ah* 1, 6–9; *Sefer Ha-Hinukh*, *mitzvah* 600.

⁶⁹ The negative *mitzvah* of “*lo ta’amod al dam rei’ekha*,” you shall not stand idly upon your brother’s blood, *Va-Yikra* 19:16; Rambam, *ibid.* 1, 16; *Sefer Ha-Hinukh* 237; *Shulhan Arukh*, *H. M.* 426. I listed these points as ideals of Judaism, those which help explain the importance of *milhemet mitzvah* in a defensive war, and not as *mitzvot* unto themselves. There is thus no need to enter into the question of how much must one invest in such *mitzvot*, which has no bearing upon *milhemet mitzvah*, and might mistakenly distract from the main obligation of *milhemet mitzvah*.

⁷⁰ Psalms 97:10: “Those who love G-d, hate evil.”

⁷¹ Heard from R. Tzvi Tau, based upon Rav Kook.

⁷² Rambam, *Hil. Melakhim u-Milhamoteihem* 4:10.

common. Wrong are those who suppose that it would be an act of mercy to abandon the laws of [punishment and deterrence]; on the contrary, it would actually be cruel to them and harm the social state of the country.⁷³

R. Yosef Albo helps us understand the G-dly attribute of *Gevurah*/Might (the fifth of the ten *sphirot* of Kabbalah) as seen in the second *berakhah* of the *Amidah*, named for this trait:⁷⁴

You are mighty forever, my L-rd; You revive the dead and are powerful to save. [He] sustains the living with loving kindness, reviving the dead with great mercy, supports the falling, heals the sick, releases the prisoners... Who is like You, mighty One! And who can be compared to You, King, who brings death and restores life, and causes deliverance to spring forth!

Sefer Ha-Ikarim explains:

G-d is strong and can overcome every obstacle... Your strength, however, is not like that of man, for man [considers it strong] when he kills the living, while G-d's is the opposite. "You revive the dead"...; man's might is to knock down others. Contrarily, G-d "support the falling." Man's strength is to beat and wound, while G-d's is to "heal the sick" [... and free the prisoners/hostages].⁷⁵

One cannot find a better example than the contrast between Hamas and the IDF. Our enemies glorify, brag, and even film themselves killing, raping, and demeaning innocent civilians, while the Israel Defense Forces fight, like G-d, valiantly to save lives and free hostages, just like our Biblical super-heroes. The Arabs name the streets of Ramallah after terrorists; the more innocent people they killed the larger avenue or park they merit. Our soldiers are taught during training about yeshivah-graduate Major Ro'i Klein, who jumped on a hand-grenade absorbing all the shrapnel, to save his battalion. Our enemies are not embarrassed of their **life-taking** ideology. The **life-giving** *gevurah* of Israel, however, emulates our G-d, "a King who desires life:"⁷⁶ "and you shall live by them and not die by them." Saving lives supersedes most other *mitzvot*.⁷⁷ Many halakhot and our recoil

⁷³ Rambam, *Guide for the Perplexed*, 3:35.

⁷⁴ *Rosh Ha-Shanah* 32a.

⁷⁵ R. Y. Albo, *Sefer Ha-Ikarim* 4:35.

⁷⁶ Beginning of the *Amidah* prayer of the High Holidays.

⁷⁷ *Yoma* 85b, based upon *Va-Yikra* 18:5, brought as *halakhah* in Rambam, *Hil. Shabbat* 2:3 and *Mishnah Berurah* 328:4. See above fn. 25, that saving Israel is the highest *mitzvah* and when necessary, supersedes all others, including the three cardinal sins.

from *tumah* and yearning for *tabarah*, shape our ideology for a love of life.⁷⁸

This is also a major difference between the Living Torah of Israel as opposed to ideals of Christianity. They say the ideal man “is” god and pacifist. We say all men should be “like G-d” and not be pacifists. It is our obligation to join the Jewish army like our aforementioned role-models of *Imitatio Dei*, a central part of Judaism. Accordingly, how can a good Jew not run and join our army to fight Hamas? G-d is the ultimate Redeemer of Israel, obligating us to recall twice a day His taking us out of Egypt, to teach us, for example, that joining a commando unit to free hostages, is G-dly. Our essence is “the image of G-d.”⁷⁹ “One should walk in His ways... follow the attributes of the Holy One, Blessed be He.”⁸⁰ Rav Kook explains the purpose of the 13 Attributes of G-d, the 10 *Sphirot*, and His many Names. They are all meant to define for us what we should emulate.⁸¹ In the words of Rav Soloveitchik,

In the practical realm... the principle of *Imitatio Dei*. Halachic Judaism placed this principle at the center of the universe. “And you shall walk in His ways” (*Devarim* 28:9) — as He is, so you shall be. “This is my G-d and I will imitate Him” (*Shemot* 15:2).⁸²

Free Will and Not Relying on Miracles

Some *haredim* submit to a simplistic type of fatalism found in other religions, of defying natural law and expecting G-d to perform miracles for us.⁸³ Accordingly, many believe that Torah study protects and we do not need an army. Man need not work for a living and some even avoid vaccines and doctors. This is clearly not Judaism, which forbids relying on miracles⁸⁴ and testing G-d.⁸⁵ “A person must never stand in a place of danger, saying ‘we will have a miracle,’ for he may not receive a miracle.”⁸⁶ Judaism believes in *hishtadlut*, natural efforts. We pray and ask for G-d’s intervention, but man must also work for a living, go to doctors, and serve in the Jewish army. The importance of free-will and human effort, as well

⁷⁸ R. Kook, *Kvatzim m-Ktav Yad Kodsho*, p. 36; *Maḥbarot K’tanot* ii, p. 35.

⁷⁹ *Beresbit* 1:27.

⁸⁰ *Sotah* 14a and *Shabbat* 133b.

⁸¹ R. Kook, *Middot Ha-Raiyah, Dveykut*, 1–2.

⁸² R. Y. B. Soloveitchik, *From There You Shall Seek*, p. 75.

⁸³ Expounded by *Yated Ne’eman* editor Yisrael Friedman, *Maḥor Rishon, D’yukan*, Cheshvan 16 2025/ח"שפ"ה, pp. 18–25.

⁸⁴ *Pesachim* 64b.

⁸⁵ *Devarim* 6:16.

⁸⁶ *Shabbat* 32a.

as subsequent reward and punishment, are key components of our beliefs and part of Judaism's system for life.⁸⁷

Even in Biblical times, when G-d still occasionally did supernatural salvation, we find our heroes planning and using military strategy. For example, after Yoav chooses the select commando unit to fight Aram, he assigns Avishai to lead the larger group of less skilled soldiers to face Ammon. He directs his brother:

And [Yoav] said: "If the Arameans will be too strong for me, then you shall help me, and if the children of Ammon will be too strong for you, then I shall go to your aid. Be strong, and let us strengthen ourselves on behalf of our people, and on behalf of the cities of our G-d: and [then] G-d will do what is good in His eyes."⁸⁸

Yoav and Avishai do not say, "If I am not in danger and I am defeating my enemy, I do not care about you and your battle." All Jews are in every war together. Similarly, Yoav does not use prophecy or rely on miracles or reciting his cousin King David's *Tehillim*. Rather, he prepares military strategy, even saying that he does not know for sure how G-d will run the battle. How much more so today. G-d does not intervene supernaturally, and we may not rely on His miracles.

R. Sh. Y. Zevin, noted Chabad rabbi, retorted angrily precisely in our context. "Did the yeshivah boys of Hebron need protection or not?! (In a single day of the 1929 Arab riots, 67 Jewish people were murdered and 58 others were wounded, about a third of them young men from the Hebron Yeshivah)... Why do scholars leave together with everyone when there is sniper fire and do not rely on the 'charm' that 'rabbis do not need protection'?"⁸⁹

Similarly, as opposed to the aforementioned segment of *haredim*, the YU and Touro graduates do not rely on miracles. Otherwise, they would not have chosen to study a profession. They know that Judaism believes in "working with G-d,"⁹⁰ or in the seemingly brazen words of Deborah precisely in our context, "coming to help G-d,"⁹¹ in both individual and national life. I trust that most *haredi* parents take their beloved children to

⁸⁷ Rambam, *Hil. Teshuvah* 5; 6:1.

⁸⁸ II Samuel 10:11–12.

⁸⁹ R. Zevin, *The Question of Drafting Yeshivah Boys* [Hebrew] (published as a booklet written by "One of the Rabbis" [תש"ח, ירושלים] and reprinted in Y. Cohen, "Drafting as Halakhah" [Hebrew], [תשע"ג] p. 219.

⁹⁰ *Va-Yikra Rabbah* 27:2.

⁹¹ Judges 5:23. See fn. 121 below for the astonishing midrash on this verse.

doctors when necessary, and hope that their relying on miracles regarding the security of Israel does not indicate their lack of love for their fellow Jew.⁹²

Cursing Those Who Do Not Help Militarily

Moshe Rabbenu rebuked Reuven and Gad, “Shall your brothers go to war while you stay here?!” (*Be-Midbar* 32:6). Deborah, the prophetess (*Shoftim* 5:16, 23), and Rambam harshly rebuke those who do not come to help Israel during war. “Cursed be he who does G-d’s work deceitfully; cursed be he who withholds his sword from blood.”⁹³ Regarding those who do not help during war, Rav Soloveitchik applies the severe castigation of Rambam to those who neglect Israel in her time of trouble.⁹⁴

Deborah praises the tribes who came to help in the war (Issachar, Zevulun, Naftali, Ephraim, Menashe, and Benjamin),⁹⁵ and curses those who did not:

The clans of Reuven, “contemplating” their “important decisions.” Why did you [the tribe of Reuven] sit among your sheep, to hear the whistling for [your] flock? The clans of Reuven, the “great contemplators.” Gil’ad lingered beyond the Jordan, and Dan—why did he dawdle by the ships? [Similarly,] Asher remained at the seacoast and tarried at his landings... “Curse you, Meroz,” said the messenger of the Lord, “curse bitterly inhabitants thereof,” because they did not come **to help G-d**, to help G-d among the mighty.⁹⁶

I am sure those “dawdling” tribes who stayed home, excused themselves claiming the war was in far-off Jewish communities. Nonetheless, *Tanakh* deems this inexcusable. Surely today when international flights quickly take us whenever and wherever we choose to go. Chanah Senesh and Yoni Netanyahu (of Entebbe fame) flew far distances to save Jews,

⁹² See below the chapter on “Altruism, Kindness, and Life.”

⁹³ Rambam, *Hil. Melakhim u-Milhamoteihem* 7:15, based upon Jeremiah 48:10. It should be stressed that Rambam there is even referring to a *milbemet reshut*, an “optional war,” see fn. 122 below.

⁹⁴ R. Y. B. Soloveitchik, *Community, Covenant and Commitment* [Hebrew] (2011), 68, 244, based upon Rambam, *Hil. Teshuvah*, 3:11. See below fn. 140, where Tzitz Eliezer also understands that Rambam in a similar fashion.

⁹⁵ Judges 5: 9–16, 18, see above in fn. 31, that this included the rabbis and full-time Torah learners of Issachar.

⁹⁶ Ibid., 15–17, 23.

based on their feelings of *areivut*, responsibility for our brothers.⁹⁷ Globalization and world travel bring new and two-way responsibilities. We must understand this. Not that it matters, but in the long term, I imagine that Jews abroad will gain more than they will lose from this partnership.

Hillul Hashem and Kiddush Hashem

There are two aspects of *hillul Hashem*, desecration of G-d's Name, involved in this issue.

Firstly, in the eyes of the average Israeli, the only group in the country who systematically does not risk their lives to help others during a national crisis are the *haredim*. "Shall your brothers go to war while you sit here?"⁹⁸ is simply wrong. Wrong in the eyes of Moshe Rabbenu and wrong in the eyes of any moral person. Our enemies often portray the stereotypical Jew of exile as a "most religious" person who is weak and defenseless, as "losers" and parasites still living off the *halukah*.⁹⁹ This is a negative reflection on Torah, and a *hillul Hashem*.

Put simply, when our country is in danger, if I am willing to give my life for your safety, there is something wrong if you are not willing to reciprocate.

Similarly, if we Jews are brothers, how can my fellow religious Jews seem so unfeeling towards us? Many soldiers—as are my boys and most of my neighbors—have been away from home for hundreds of days. They are collapsing—emotionally and physically—and need relief from their exhaustion.

If you do not want to serve in the IDF, do you praise and thank those who are dying and losing limbs for you? Do you pray for the welfare of the soldiers, the wounded and the kidnapped? Do you attend the military funerals and the *shivah* homes of your brothers who fell for our people in our Holy Land? Those who do not, are a terrible reflection on Torah.

⁹⁷ Yoni Netanyahu's pep talk along these lines preceding the miraculous commando raid at Entebbe left a lasting impression on all the soldiers, <https://news.walla.co.il/item/2976031>.

⁹⁸ *Be-Midbar* 32:6.

⁹⁹ The charity customarily sent from the diaspora to support those living in *Eretz Yisrael* who did not work. Contrarily, the pioneers of Zionism were proud to be self-supporting in reviving the desert.

They defile the Name of G-d, and “miss the boat” of *ahavat Yisrael*. “Carrying the burden with our friend” is a central theme in *mussar*.¹⁰⁰ Some in the *haredi* camp are beginning to realize this.¹⁰¹

The average Israeli does not expect the Jews from America to serve in the IDF, but when young men in YU and Touro do so, it is clearly a *kiddush Hashem*. As Rambam writes, “*kiddush Hashem* is the opposite of *hillul Hashem*.”¹⁰²

The second problem of *hillul Hashem*, with which Jews in America need to grapple, is when the Moslem Jihad “proves” that G-d is Moslem and approves of their barbaric slaughtering. After all, look at the success of Hamas on October 7. The *Allahu Akhbar* cries of Islamic terrorists heard repeatedly on the films of the Hamas attackers imply, “Our god is the strongest,” intended as a putdown of the G-d of Israel. Rav Soloveitchik relates to a similar claim of Christianity that arrogantly thought to “prove” that G-d is Christian, using the Crusades, anti-Semitism, and the Holocaust as evidence that He has abandoned the Jewish people.¹⁰³

As representatives of Hashem in this world,¹⁰⁴ Israel’s status—for better or for worse—is a reflection upon Him. Our individual or national actions make a *kiddush Hashem* or a *hillul Hashem* in the world.¹⁰⁵ Our military successes and failures influence how gentiles view Judaism and the G-d of Israel.¹⁰⁶ After the slap we received from Midian, G-d tells Moshe

¹⁰⁰ Mishnah *Avot* 6:6.

¹⁰¹ A similar point was raised by Rav A. Lichtenstein, “This is the Torah of Hesder” [Hebrew], *T’humim* 7 (תשמ"ו), 329, and is beginning to be raised by some of the *haredim* themselves, even in public. See e.g., Rav Dovid Leibel, R. Yehoshua Pfeffer, who recently enlisted in the army, R. Yonason Rice, and others. See <https://www.inn.co.il/news/643418>. See also R. Asher Weiss (above in fn. 2).

¹⁰² Rambam, “*Iggeret Ha-Shmad*,” *Iggerot Ha-Rambam* (Mossad HaRav Kook: תשמ"א), 55, based upon *Yoma* 86a.

¹⁰³ R. Y. B. Soloveitchik, “Kol Dodi Dofek,” *Ish Ha-Emunah* [Hebrew], 78–79.

¹⁰⁴ See e.g., Psalms 148:13, “And He has exalted the horn of His Nation, for Bnei Yisrael, His intimate Nation.” See also *Devarim* 14:1, “You are sons to Hashem your G-d”; *ibid.*, 7:6, and 14:2, “G-d chose you, from among all the nations, to be His treasured Nation”; *Shemot* 4:22, “So said the Lord: ‘My firstborn son Israel’”; Isaiah 43:21, “This Nation I created for Myself, they will tell of My praise.”

¹⁰⁵ *Yoma* 86a; Rambam, *Sefer Ha-Mitzvot, aseih* 9; *Mishneh Torah, Hil. Yesodei HaTorah* 5:11. Rav S. Riskin elaborated on the national *kiddush Hashem* seen through the spirituality and morality of Israel, “Among Bnei Yisrael and Before the Eyes of Many Nations” [Hebrew], *T’humim* 8 (תשמ"ד), 371.

¹⁰⁶ Rambam, *Hil. Melakhim u-Milhamoteihem* 7:15, quoted below, fn. 122.

to avenge the honor of Israel. Immediately, Moshe tells Israel to avenge the honor of G-d, because we represent the G-d of Israel to the world.¹⁰⁷

The famed *Sridei Esh*, R. Yehiel Ya'akov Weinberg (as Rav Soloveitchik pointed out) noted that IDF victories show—for those who may have doubted after the Holocaust—that the G-d of Israel is very much “alive and well” and that the Jews are “still” the eternally Chosen People.¹⁰⁸ He does not change His mind, nor does He make mistakes. “The Eternal One of Israel will not be untrue nor change His mind, for He is not a man to change His mind.”¹⁰⁹ Conversely, when the IDF and Israel are perceived as weak, it once again raises the heads, rifles, and lies of our “religious” enemies.

When the Babylonians defeated us and sent us into exile, it was referred to as a *hillul Hashem*, “and they defiled My Name when they are told: ‘This is G-d’s nation? And they were exiled from their land!’”¹¹⁰ The commentaries¹¹¹ explain, “They (Israel) humiliated My Honor. How? When their enemies said about us, their G-d was not capable of saving His Nation nor His Land!” Similarly, “My tears were [constant]... for all day they (the gentiles) say to me: Where is your G-d?”¹¹² “Oh Lord, have pity on Your nation, and do not disgrace Your Land to be ruled by [foreign] nations. Why should they say among the nations, ‘Where is their G-d?’”¹¹³ If He is the G-d of Israel, why does He not come to your rescue, Israel?

Accordingly, the halakhah states, “Whoever slaps a Jew in the face, it is as if he slapped the cheek of G-d.”¹¹⁴ When an Arab or any anti-Semite spits on a Jew, he is not relating to him as an individual, for usually, he does not even know his victim. Rather, he is spitting upon the Jewish people, their religion, and their G-d. Surely, regarding the recent horrific humiliation and abuse of the entire Jewish nation of Israel and her civilians. Even if many of our political leaders are not religious and subsequently do not see the Arab-Israeli struggle as a religious war, as soon as our enemies declare it as such (as a Jihad), whether we like it or not, understand it or not, believe it or not, it is a religious issue of *kiddush* or *hillul Hashem*.

¹⁰⁷ *Be-Midbar* 31:2–3.

¹⁰⁸ R.Y.Y. Weinberg, “Religion and State in Israel” [Hebrew], appendix to his book *Volk der Religion*, quoted by Y. Grunfeld, “*The Sridei Esh*,” *The Torah Personality*, (NY: 1980).

¹⁰⁹ I Samuel 15:29.

¹¹⁰ Ezekiel 36:20.

¹¹¹ *Rashi*, *ibid.*, and similarly *Radak*, *Metzudot*, *Malbim*.

¹¹² Psalms 42:4.

¹¹³ Joel 2:17.

¹¹⁴ *Sanhedrin* 58b. Rambam cites this as halakhah, *Hil. Melachim u-Milhamoteihem* 10:6.

As G-d's representative to the world—although today we have no prophets nor prophecy—Israel's task is to reveal G-d to the world. We accomplish this not only by being an *or la-goyim*,¹¹⁵ a light to the nations, as an ideal and morally exemplary state,¹¹⁶ but also by our very existence and national status which must be strengthened by soundly defeating our immoral adversary Jihadists.

This concept is summarized well within our daily morning blessings, “Through Your salvation You will exalt and raise our [Israel's] pride. Blessed are You G-d, Who sanctifies Your Name among the multitudes.”¹¹⁷

An objective Christian theologian, Paul Van Buren, clarified this point, in answering why the world is disproportionately preoccupied with the State of Israel:

With Israel back on the scene again, the whole [Bible] story suddenly becomes modern. For anyone with a biblical faith, the existence of this [Jewish] state with Jerusalem as its capital, reawakens the whole possibility that this is not all in the past. Maybe G-d is not as dead as we thought.¹¹⁸

Accordingly, our sages teach:

You find that whoever helps Israel is as if he helps He Who created the world, as it says, “for they did not come to help G-d.”¹¹⁹ It does not say, “To help us,” but rather “to help G-d.” And similarly it is written, “One who touches you [Israel] is as if he touches the apple of His [G-d's] eye,”¹²⁰ and anyone who rises up against Israel it is as if he rises up against He Who created the world.¹²¹

Similarly, Rambam stresses that when it is time to go to war, one must not think of his family, that his children may become orphans or his wife widowed, but rather that he will be focusing on the national needs of Israel and making a *kiddush Hashem*, by being willing to give his life for the

¹¹⁵ Isaiah 42:6 and 49:6.

¹¹⁶ R. A. Y. Kook, *Orot*, 104. I elaborated on this topic in my article, “Rav Kook's Solution to Anti-Semitism and Understanding Israel as ‘The Chosen People’ in a Globalized and Universal World” [Hebrew], *Oreshet* 4 (א"תשע"ד), 185–230. See above fn. 105.

¹¹⁷ The Ashkenaz wording.

¹¹⁸ Cited in T. Friedman, “The Focus on Israel,” *NY Times Magazine*, Feb. 1, 1987, p. 18.

¹¹⁹ Judges 5:23.

¹²⁰ Zechariah 2:12.

¹²¹ *Yalkut Shimoni, Shoftim, remez* 55.

G-d of Israel.¹²² There is obviously no mention here of what citizenship one holds. A Jew is a Jew, and halakhah is halakhah, regardless of one's passport.

How can one not serve in the IDF, and not “help G-d” defend the “apple of His eye”?

Altruism, Kindness and Life

Rav Aharon Lichtenstein notes that one of the main reasons for serving in the IDF is *gemilut hessed*.¹²³ The only thing greater than saving a single life is to save many lives. How much more is this true for one who helps save the life of our nation?

Giving is the essence of why G-d created the world. R. M. Ch. Luzzatto explains that G-d is perfect and lacks nothing. Altruism, by definition, is giving without receiving anything in return. An example of *hessed shel emet* is burial.¹²⁴ Accordingly, the only possible answer to why G-d created the world is that He loves to give altruistically, even while lacking nothing, and without receiving anything in return.¹²⁵

Accordingly, we understand why the Talmud teaches that one who only learns Torah and does no *hessed* is religiously deficient.¹²⁶ The *tanna* Rabbah, who excelled in learning and teaching and surely also helped others, is taken to task for not giving as much as he could.¹²⁷ Giving your money or your time is great. To be willing to give your life for *Am Yisrael*, however, is the single most altruistic G-dly act one can do.

Yeshivot that do not educate their students to serve in the IDF, whether in Israel or abroad, are lacking a central aspect of the obligatory giving necessary in today's Jewish world.

It is morally and religiously irrelevant if the Jews being attacked are in

¹²² Rambam, *Hil. Melakhim u-Milhamoteihem* 7:15, “And he should know that he is fighting for the belief in G-d... and his intentions should be only to hallow G-d's Name” (“*she-al yihud Hashem hu oseh milhamah... v-tibiyeh kavanato l-kadesh et Hashem bilvad*”). Note that Rambam there is even referring to a *milhemet reshut*, an optional war, whose purpose is solely to contribute to Jewish nationalism, pride and economy. This is even more true regarding our *milhamot mitzvah* today, of self-defense. See above fn. 54, that *Sefer Ha-Hinukh* there is also referring even to a *milhemet reshut*.

¹²³ R. A. Lichtenstein above fn. 101.

¹²⁴ *Tanhumah* (Buber) *Va-Yehi* 5, based upon *Beresheet* 47:29.

¹²⁵ R. M. H. Luzzatto, *Da'at Tervunot* (ed. R. H. Friedlander), pp. 4–5.

¹²⁶ *Avodah Zarah* 17b.

¹²⁷ *Rosh Ha-Shanah* 18a.

my location or in another. If Jews are attacked in the south and I live in the north, I must participate. Another edict teaches, “Whoever comes to murder **you**, precede and kill him first.”¹²⁸ The *mitzvah* of “*lo ta’amod al dam rei’ekha*,” you shall not stand idly upon your brother’s blood,¹²⁹ and the positive *mitzvah* of *hatzalah m-rodef*, saving a fellow Jew being pursued,¹³⁰ refer to cases where we are not the one in danger. We must, nevertheless, go and save other Jews who are.

Moreover, regarding *lo ta’amod* and *hatzalah m-rodef*, there is no obligation to endanger one’s life to save another Jew from danger, but warfare is an exceptional category. In war, the very definition of the *mitzvah* includes endangering one’s life to help *Am Yisrael*, which obviously and inevitably¹³¹ are part of all battles even optional wars.¹³² This requirement raises the *mitzvah* to a **superior category** to most others.

The unique status of this *mitzvah* is also seen regarding Shabbat, where halakhah obligates one to abandon the holiest of days to save others,

And in every place if the gentiles come to take [Jewish] lives, or if they wage war, or even if they attack (without revealing what their motives are), [we] go out with weapons and desecrate the Shabbat. And it is **a mitzvah for all Israel whoever can come and aid their brothers** under siege and save them from the gentiles on Shabbat. And it is **forbidden to delay** and wait for Motza’ei Shabbat. After they save their brothers, they are allowed to return to their place

¹²⁸ *Sanhedrin* 72a.

¹²⁹ *Va-Yikra* 19:16; Rambam, *Hil. Rotze’ah* 1:16; *Sefer Ha-Hinukh* 237; *Shulhan Arukh*, H. M. 426.

¹³⁰ *Devarim* 25, 11–12; *Sanhedrin* 73a; Rambam, *Mishneh Torah*, *Hil. Rotze’ah* 1:6–9; *Sefer Ha-Hinukh*, *mitzvah* 600. See above fn. 69. Here too I list these points as ideals of Judaism to help explain the importance of *milhemet mitzvah* in a defensive war, not as *mitzvot* unto themselves. We do not deal with the question of how much one must invest in such *mitzvot*, which has no bearing upon *milhemet mitzvah*, and might distract from the main obligation discussed here.

¹³¹ Note that even in an optional war, for the sake of Jewish national pride or economy, the government may sacrifice up to 1/6 of the lives of all Jewish men! *Tosafot, Shevu’ot* 35b, elaborated in R. Sh. Goren, “Obligatory and Optional Wars” [Hebrew], *Mahanayim* 69 (תשכ"ב), 5–15. There are no optional wars today, for we have no Sanhedrin. See fn. 67 above.

¹³² *Minhat Hinukh*, 425; Netziv, *Meromei Sadeh*, *Eruvin* 45a; R. Kook, *Resp. Mishpat Kohen* 142; R. V. Soloveitchik, *Hiddushei Ha-Griz, Haftarah, Be-Shallah*.

while carrying their weapons on Shabbat, so as not to cause their deliberating in [going out to fight on Shabbat in] the future.¹³³

Here too, the halakhah does not refer specifically to Jews in my city. Rather, it refers to anyone who is able to come, including those who could come by airplane. A flight today from America to Israel probably takes less time than it did for the southern tribes to travel and aid the northern tribes in the times of the *Shoftim*. Today, Israel even pays for the flights of soldiers during war. Practically and idealistically speaking, most religious Jews spend a considerable sum when they visit Israel for their own business or pleasure. So much more so, when our nation desperately **needs us**, we should be willing to invest at least as much.¹³⁴

Conclusion

The article shows that whether one is a citizen of the modern State of Israel or not has no halakhic significance on any Torah commandment,¹³⁵ including the obligation of *milhemet mitzvah*. It is not a *mitzvah* dependent upon the Land,¹³⁶ nor is it just affected by the rabbinic *dina d-malkhuta dina*. *Milhemet mitzvah* touches upon some of the most vital and basic principles of Judaism including sanctity of life, the People and Land of Israel, *kiddush* and *hillul Hashem*, free-will, altruism, kindness, *Imitatio Dei*, and *ahavat Yisrael*. Accordingly, it has supreme halakhic standing above other *mitzvot*, including Shabbat, learning Torah, and even giving up one's life.

This issue is a classic example which explains the seemingly difficult passage that, "Whoever says 'I only have [learning] Torah,' he does not have even Torah."¹³⁷ He is missing the aforementioned central Torah ideals and *mitzvot*, which comprise the Living Torah.

¹³³ Rambam, *Hil. Shabbat* 2:23, and cited as halakhah in *Shulhan Arukh, Or. H.* 329, 6–9. Rema adds there, "And even if they have not attacked yet, but they want to attack," allowing even pre-emptive strikes, like the Six Day War, even on Shabbat.

¹³⁴ See my article, above fn. 2, where I elaborate on the oft-found parable of Israel and our Land as loyal lovers.

¹³⁵ Only the issue of *Dina d-Malkhuta Dina* (that one must follow the law of the land) applies differently to American and Israeli citizens, but that is just an additional relatively minor rabbinic reason why Israelis must serve, compared to the main point of *milhemet mitzvah*, and obviously no reason to exempt non-citizens. Rav Kook, *Iggerot Ha-Reiyah*, IV, 139, celebrated and stressed the importance and mitzvah of legally and officially identifying as a Jew in *Eretz Yisrael*, but again, that was regardless of service in the non-existent IDF.

¹³⁶ Obvious from the sources cited, but stated explicitly by *Bab*. See above fn. 2.

¹³⁷ *Yevamot* 109b, and Rashi there.

We may excuse the young and innocent yeshivah boys who are just following their teachers, but as soon as they are old enough to understand the sources and authentic non-exile Judaism (including *Tanakh* and Jewish thought), they should be asking their rabbis why the sources are being twisted despite our having an existentially threatened Jewish State. When *haredim* in the not-too-distant future will comprise 35 percent of the 18-year-old boys in Israel, it will be complicated for their rabbis to suddenly “change” their teachings, and this will inevitably cause a crisis in their camp and in our State.

When the IDF says that we currently lack 10,000 male front-line combat soldiers, we must believe them. Like doctors regarding *pikuah nefesh*, they are the ones who know the situation.¹³⁸

Just as all halakhic sources state that Israeli *haredim* must serve in the IDF (especially with the formation of *haredi* units), so must healthy Jewish boys living abroad, regardless of whether they make *aliyah* or not, for this is a unique¹³⁹ and important *mitzvah*. This applies to yeshivah boys in Lakewood, and more so to college students in YU and Touro who interrupt their Torah learning every day for secular studies. Just like Israelis, the obligation applies even to those working fulltime in their respective professions, even if they are married with children. Globalization and world travel bring new and two-way responsibilities for all Jews.

Tzitz Eliezer, one of the leading *poskim* of our century, wrote about this about 75 years ago, and the situation has not changed:

According to the present situation of the State of Israel—that she just recently was weaned and she is already surrounded by sworn enemies who want to devour her, *halilah*—there is a special **obligation** to arm ourselves quickly and hurry to go up to the Land of Israel, and come to her aid from the enemy who is attacking them.

¹³⁸ I saw that R. Yair Hoffman, <https://cross-currents.com/2014/03/14/a-response-to-rabbi-slifkin/> wrote, “Torah scholars, according to the chareidi view, only go out to war in cases of ‘super’ *milchemes mitzvah*.” I imagine he would agree that the IDF is the most qualified to define that term, which incidentally is not found in Rambam.

¹³⁹ Although conquering—and, how much more so, protecting—*Eretz Yisrael* which is already in our hands, is connected to settling the Land, *Be-Midbar* 33:53, “and you shall **inherit** (conquer) the Land and **settle** her.” Nevertheless, there are those who opine that conquering (although perhaps not protecting) needs a decision of the Sanhedrin, and we prefer, in this article, to keep things as simple as possible, and relate only to the obvious and undebated, the war of self-defense, which is the main point.

This stems from the obligation of *milhemet mitzvah*.¹⁴⁰

I recently heard a similar quote in the name of R. Herschel Schachter, speaking on the topic at a recent RCA rabbinical convention, stating that serving in the IDF is a *milhemet mitzvah*, and accordingly it is proper for boys from America to do so, as do his own grandchildren.¹⁴¹

I believe that when *rabbanim* speak about this publicly, it may not only have important and immediate ramifications concerning boys from YU, Touro, and Wall Street, but even more so regarding the more “open” Anglo *haredim* in Har Nof and Beit Shemesh, as well as boys learning in Gush, KBY, and Ha-Kotel, who may be considering serving in Machal. If hundreds of young Anglos join *Tzahal*, and more rabbis publicize this obvious *psak*, it will be a great *kiddush Hashem*, and perhaps more importantly, may very well force *haredi* rabbis in Israel to reconsider their absurd, even Reform,¹⁴² pseudo-halakhic stance on the issue. Inevitably, there will be that many more *Torani* units (perhaps some in English...) which can hasten the process even more. This phenomenon may even give a shot of motivation to secular Israelis to realize the importance of combat units.

This issue can potentially also be a game-changer regarding *ahdut Yisrael*, uniting Israeli communities with Jews from abroad.¹⁴³ It may also enhance long-range possibilities of their families considering *aliyah* (“equated with all the other *mitzvot combined*”¹⁴⁴), although halakhically, *milhemet mitzvah* has its own unique importance. This potential “wave” can even be a potential game-changer for our assimilated cousins in America, who are not interested in becoming religious. As anti-Semitism there increases, the IDF can serve as a way for them to reconnect to *Am Yisrael*.

In short, this urgent topic contains many important military, *hashkafic*, social and even historic ramifications, which can contribute to the mass soul-searching going on all over Israel and abroad over the past two years. Let us seize the moment and not be afraid of truth. 

¹⁴⁰ Resp. *Tzitz Eliezer* VII, 48:12, paraphrasing Rambam above in fn. 2.

¹⁴¹ He was quoted as saying that if Israel *actually needs* more soldiers, the halakhic principles would imply an obligation even upon diaspora Jews.

¹⁴² Notoriously known for their systematic “picking and choosing” *mitzvot* and sources they like and ignoring obligatory sources which are more challenging.

¹⁴³ The moving scene in C. Potok, *The Chosen*, pp. 195–196, is based upon Moshe Perlstein, a Bnei Akiva boy from Brooklyn. He joined the Haganah and was killed in the famed mission of the *Lamed-Heh* to save Gush Etzion in the War of Independence. The scene is etched in the memory of many who read the book or saw the movie, as are the more recent stories of Michael Levin and tens of lone soldiers who fell in our current war.

¹⁴⁴ *Sifre*, *Dvarim* Re'eh 12:80 and *Tosefta*, *Avodah Zarah* 5:2.