

Jerusalem Post Intern.
26/8-89

Kommentar:
Israel har "rett"
til å ta hele "Eretz
Israel"; on de ikke
måter sterke militær
not stand.

NEWS BACKGROUND

Controversy over the 'commandment' to conquer the land and its political implications

The rabbis and 'land for peace'

LISTEN TO Shlomo Gazit and Aharon Levan and you'll hear two reserve generals, each with extensive backgrounds in military intelligence and strategic planning, give entirely different assessments of the national security implications of a Palestinian state.

Listen to Rabbis Ovadia Yosef and Shlomo Goren and you'll hear two former chief rabbis offer radically different assessments of the halachic implications of such a state.

Yosef and Goren agree that there is a commandment to settle Eretz Yisrael, and that there is no commandment to conquer any portion of the Land if there is consensus among the military that such an operation is doomed to failure.

But Yosef does not believe there is a commandment to rid Israel of all hostile forces. He accepts the view of Rashi and others that the verse "[You shall] drive out [the foreign inhabitants] of the Land, and settle therein" (Numbers 33:53) is not a commandment, but a promise of what will take place when the Jewish people merit it.

Even those who agree with Nahmanides, who says the verse is a commandment to conquer the Land, concede that "there is no commandment of conquering Eretz Yisrael in these days, but only when the Messiah comes," Yosef said last week in an address to the 31st An-



Defence Minister Rabin and Rabbi Yosef at the Oral Law conference.

not to be permitted to maintain a sovereign presence here.

Does such a commandment, or the commandment to settle the Land, outweigh the positive commandment of "and you shall live by [the Tora]" (Lev. 18:5)?

Goren again turns to Maimonides (Hilchot Melachim 7:15), citing what he calls "clear proof" that even an optional war supersedes the preservation-of-life issue. "It is forbidden to take into account the danger of loss of life to individuals, since the life of the nation depends on victory," Goren concludes.

He also cites the view of Nahmanides that war over any part of Eretz Yisrael, especially Judea and Samaria, which were always the "very heart of the Land," is obligatory.

ALTHOUGH YOSEF and Goren clearly disagree about the principle of returning territory, they would likely give identical halachic rulings if asked tomorrow whether Israel should give up Judea, Samaria or the Gaza District.

Goren stipulates that Israel has an obligation to rule sovereign over those areas, even if it means casualties, but only if the military authorities estimate that we have the ability to succeed: "But if it is clear that we don't have the strength or power to overcome our enemies, including those who will join forces against us, then it is clear that any peaceful arrangement, even one that is tenuous, is preferable to defeat on the battlefield," he says.

Yosef also states that no final decision on the fate of the administered territories can be made without consulting the military experts. He has met four such experts - Tsomet MK and former chief of the

presence there, and others say that we need the strategic depth [offered by those areas] so that in the event of war we will be able to protect our borders," Yosef told his audience at Mossad Harav Kook.

As long as there remains substantial opposition to Palestinian statehood among the experts, Yosef would agree that it is forbidden to relinquish parts of the Land. "If there is even a shadow of a doubt that returning territory could - God forbid! - lead to war, then it is certain that we should not return anything."

Yosef further qualified his position by stating that his observations on the relinquishment of territories to save lives were not relevant today since there was no partner for peace talks. "We must be wary of Arab promises; only after it is clear beyond any doubt [that they intend to make peace], can we consider what to return."

In Bnei Brak, Rabbi Eliezer Schach, the venerable head of the Ponevezh Yeshiva who is also revered by the Shas and Degel Hatorah parties, expressed a far more dovish line when he told his students that territories, as a value in themselves, meant nothing. This was especially true, he said, when the government which held these territories did not live by the Tora.

Speaking at the inauguration of his yeshiva's annual month of study

for laymen, he said Israel should have no illusions: it was dependent on the U.S. which at any time could abandon Israel.

Joel Rebibo

nual Conference on the Oral Law at Mossad Harav Kook.

Settling Eretz Yisrael is a commandment of paramount importance. Yosef also pointed out that

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In Deuteronomy 7:2 it is written: "And when God delivers them [the Canaanite nations] to you, and you defeat them, then you shall utterly destroy them; don't make a cov-

Caleb's Column on Rabbis Yosef and Schach, page 22

Debatt: Kan (sionistiske) Jøder gi fra seg retten til noe av Eretz Yisrael (Landet Israel) - og eventuelt bare i tilfelle av væpnet motstand (fra palestinerne)?

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