

The Meaning of Parashas Ki Seitzei – When you go to War: 9/11 and Defeating Amalek

by Rabbi Jonathan Hausman and Jerry Gordon

This week witnessed the 18th Anniversary of 9/11 – the Pearl Harbor of the 21st Century with the loss of more than 2,977 American and Foreigners in attacks by contemporary Amalekites – 19 Egyptian, Saudi Arabian and Yemeni Al Qaeda Jihad extremists seizing four Airlines and crashing them as flying bombs in what were the twin towers in Lower Manhattan, the Pentagon in Washington and in Sharpesville, Pennsylvania. The death toll now exceeds 3, 557 if you include the 582 NYPD, NYFD and EMS who succumbed to cancer through 2018 arising from toxic exposures at the site of the former TWC. My son and I have a special interest in this as we were in Manhattan that fateful day with his law firm colleagues viewing the fall of the twin towers and later meeting some of its victims escaping from the catastrophe.

All of which brings me to this shabbat and Parashas Ki Sietzei – literally “Into the Battle” on page 1066-67 of your Chumash and Moshe Rabbenu’s positive commandment to erase the memory of Amalek- and his attack on Hebrews at Rafidim after crossing the Sea of Reeds leaving Egypt.

Verses 17 Remember what Amalek did to you, on the way , when you were leaving Egypt, 18 that he happened upon you on the way , ad he stuck those of you who were hindmost, all the weaklings at your rear, when you were faint and exhausted , and he did not fear God. It shall be when HASHEM, your God, gives you rest from all your enemies around, in the Land that Hashem , gives you, as an inheritance to possess it, you shall wipe out the memory of Amalek from under the Heaven – you

shall not forget!

Hashem commands us to remember that the nation of Amalek attacked us at the beginning of the Exodus – and to destroy its remembrance. Amalek attempted to destroy the Jewish People, and to deny our unique relationship with our Creator, and therefore we are called upon to destroy Amalek instead.

There are no modern maps with “Amalek” listed. There is no Amalekite government, no UN representative, not even an Internet Country Code. The only people remembering Amalek are the Jews, and we have a Commandment to destroy their memory. The best way to perform this Mitzvah is also the easiest – namely, to forget the whole thing.

Would that it were so simple! It may be true that there is no nation to which we can point, but Amalek’s descendants live on: ideological descendants, and, according to the Midrash, even physical ones. Haman the Agagite of the Purim story was from the Amalekites. Nazi Germany, of course, also followed this same ideology, and there are certain Talmudic passages about a country called “Germania” during the Roman Diaspora (the current exile) which seem eerily prescient today. There may be no country called Amalek, but the commitment to destroy the Jews is alive and well. You can find ideological Amalekites in Europe, the Middle East, even in America. Among them are Al Qaeda which perpetrated 9/11, Iran’s Shi’ite Supremacists – its proxies Hezbollah in Lebanon and Houthi in Yemen, the PLO, Hamas and the Palestinian Islamic Jihad, and ISIS. Clearly, we still need to remember.

There is a fascinating comment by the Chaim ibn Attar or Ohr HaChayim, 17th Century Moroccan rabbinic scholar concerning the battle with Amalek. The Midrash discusses a later attack by the Canaanites, also during the Exodus. The Midrash relates that the Clouds of Glory covered the people in the desert, as described in the Torah. Therefore, no one knew exactly where they were. Once Aaron passed away, however, the Clouds of

Glory departed, and the Canaanites were able to attack. This being the case, the Ohr HaChayim asks the following. How did Amalek know where to look? His answer is that Amalek “struck behind you,” as it says in our reading. Amalek could not enter the clouds, but Amalek could follow them and attack those stumbling behind.

As this passage from the Ohr HaChayim makes clear, we are not referring here to physical tiredness. The Clouds of Glory did not fail to protect G-d-fearing insomniacs. Amalek finds his opening when there is spiritual tiredness, when the connection between the Jews and their G-d is weak.

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Spiritual weakness is the real enemy, even without a Haman, Hitler, Bin Laden, Al Baghdadi or Iran’s Supreme Leader Khamenei.

But then what do the Jewish sages tell us when it is permitted to unleash war on contemporary Amalekites?

The Jewish rationale for defensive war emerges in a Talmudic discussion of when it is permissible to wage war on the Sabbath:

“Rav Judah Ha-Nasi , chief redactor of the Mishneh, stated in the name of Rav: ‘If foreigners besieged Israelite towns, it is not permitted to sally forth against them or to desecrate

the Sabbath in any other way on their account,' and a Tannaitic source teaches the same thing. This, however, applies if they came with the intention of taking lives, the people are permitted to sally forth against them with their weapons and to desecrate the Sabbath on their account. Where the attack, however, was made on a town that was close to a frontier [the loss of which would constitute a strategic danger to the other parts of the country], even though they did not come with any intention of taking lives but merely to plunder, the people are permitted to sally forth against them with their weapons and to desecrate the Sabbath on their account." BT Masechet Eruvin 45a

Look at the Maimonides's expansion of the above:

"If foreigners besieged Israelite towns, if they came for monetary reasons, it is not permitted to desecrate the Sabbath on their account and we do not make war against them [on the Sabbath]. In a city near the border, however, even if they came only for straw or hay, we sally forth against them with weapons and desecrate the Sabbath because of them. In any location, if they came with the intention of taking lives, or if they established the lines for war, or if they simply besieged us, we sally forth against them with weapons and desecrate the Sabbath because of them. It is a commandment incumbent on all Israelites who can go out and come to the aid of their fellow Jews caught in a siege and to save them from the hand of foreigners on the Sabbath, and it is forbidden to wait until the Sabbath is over. And when they save their brothers, they may return with their weapons to their residences on the Sabbath. [This permission is given] so that they will not be deterred [from aiding fellow Jews] in the future." (Maimonides, *Mishneh Torah*, Hilchot Shabbat 2:23).

The Mechaber (Yosef Caro) in his Shulkhan Aruch expands upon the Rambam. The Mechaber proclaims that we sally forth against the enemy on the Sabbath when they come with the intention of taking lives “or even when they simply sally forth against the Israelites with weapons.” That is, we assume that if they have weapons, they intend to take lives.

Finally, there is the issue of pre-emptive actions the category of obligatory wars, mentioned in the Masechet Sotah 44b, undertaken for the purpose of “diminishing the heathens so that they do not march against them.” This form of defensive war is preemptive in the sense that it is aimed not at an actual attack, but against those who might well attack.

Surprisingly, Maimonides omits this category in his summary of the law of war. This omission has led later commentators to speculate about the permissibility of preemptive defensive war. A range of opinions supports discretionary war to “diminish the heathens” provided the Talmudic procedural requirements are satisfied.

Because these requirements are inapplicable under modern conditions, the only relevant addition would be an obligatory war to defend Jews against both actual and potential aggression “...even when there is only a suspicion that they may attack us.” (*Arukh HaShulkhan He’Atid*, Hilkhot Melakhim74:3-4).

Thus, pre-emptive war against the modern Amalekites arrayed against Eretz Yisrael is permitted by necessity.

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