

“They call us fascists”

JEWISH ATTITUDES TO CONSCIENTIOUS OBJECTION

Study pack



GKW 03.03.22

A RUSSIAN SOLDIER'S FINAL TEXT MESSAGE

<https://www.c-span.org/video/?c5003627/we-told-us>

I'm no longer in Crimea. I'm not in training sessions. Mama, I'm in Ukraine. There is a real war raging here. I'm afraid. We are bombing all of the cities together. Even targeting civilians. We were told that they would welcome us. And they are falling under our armoured vehicles, throwing themselves under the wheels and not allowing us to pass. They call us fascists. Mama, this is so hard.

A CASE FOR REBELLION?

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Replying to @mommamia1217 and @catfishyak

It's time for Russian soldiers to see through the lies of their commanders, recognize their brotherhood with the Ukrainian people, and defy Putin's orders. When that happens, Kyiv will quickly become Putin's Stalingrad and Putin's hold on power will crumble.

12:29 AM · Feb 28, 2022 · Twitter for iPhone

MILITARY EXEMPTIONS

From Deuteronomy 20:2-9

And it shall be, when you approach the battle, that the priest shall come forward and speak to the troops and say to them: "...Whatever man has built a new house and not dedicated it, let him go and return to his house, lest he die in the battle and another man dedicate it. And whatever man has planted a vineyard and not enjoyed it, let him go and return to his house, lest he die in the battle and another man enjoy it. And whatever man has betrothed a woman and not wed her, let him go and return to his house, lest he die in the battle and another man wed her." And the overseers shall speak further to the troops and say, "Whatever man is afraid and faint of heart, let him go and return to his house, that he not shake the heart of his brothers like his own heart." And it shall be, when the overseers finish speaking to the troops, they shall appoint the commanders of the armies at the head of the troops.

וְהָיָה בְּקִרְבְּכֶם אֶל הַמִּלְחָמָה וְנִגַּשׁ
הַכֹּהֵן וְדִבֶּר אֶל הָעָם: וְאָמַר אֲלֵהֶם ...
מִי הָאִישׁ אֲשֶׁר בָּנָה בַּיִת חָדָשׁ וְלֹא
חָנְכוּ יִלְף וַיֵּשֶׁב לְבֵיתוֹ פֶּן יָמוּת
בַּמִּלְחָמָה וְאִישׁ אַחֵר יַחְנִכֶנּוּ: וּמִי
הָאִישׁ אֲשֶׁר נָטַע כָּרֶם וְלֹא חָלְלוּ יִלְף
וַיֵּשֶׁב לְבֵיתוֹ פֶּן יָמוּת בַּמִּלְחָמָה וְאִישׁ
אַחֵר יַחְלִלֵנּוּ: וּמִי הָאִישׁ אֲשֶׁר אָרַשׁ
אִשָּׁה וְלֹא לָקַחָהּ יִלְף וַיֵּשֶׁב לְבֵיתוֹ פֶּן
יָמוּת בַּמִּלְחָמָה וְאִישׁ אַחֵר יִקְחָנָה:
וַיִּסְפוּ הַשֹּׁטְרִים לְדַבֵּר אֶל הָעָם וְאָמְרוּ
מִי הָאִישׁ הַיָּרֵא וְרַף הַלֵּב יִלְף וַיֵּשֶׁב
לְבֵיתוֹ וְלֹא יִמַּס אֶת לֵב אָחִיו
כְּלָבָבוּ: וְהָיָה כְּכֹל הַשֹּׁטְרִים לְדַבֵּר
אֶל הָעָם וּפָקְדוּ שָׂרֵי צְבָאוֹת בְּרֹאשׁ
הָעָם:

Sifrei D'varim 192

Why were all these things detailed in the Torah? So that the cities of Israel should not be left desolate: this is the interpretation of Rabbi Yochanan ben-Zakkai. Come and see how God spares the blushes of those who are afraid and faint of heart: when they leave the army and return home, people will say of them, “Oh, well, maybe they just built a house,” “Oh, well, maybe they just obtained a vineyard,” “Oh, well, maybe they just married.” Everybody claiming a military exemption would be required to provide proof to the overseers, except for the afraid and faint of heart because their character is their evidence: when they hear the clanking of shields, they are frightened; the neighing of horses, they tremble; the babbling of trumpets, they become agitated; they see swords being drawn and urine drips down between their knees.

למה נאמרו כל הדברים האלו
שלא יהו ערי ישראל נשמות
כדברי רבן יוחנן בן זכיי. בוא
וראה כמה חס המקום על כבוד
הבריות מפני הירא ורך הלבב
כשהוא חוזר יאמרו שמא בנה
בית שמא נטע כרם שמא ארס
אשה וכולם היו צריכים להביא
עדותם חוץ מן הירא ורך הלבב
שעדיו עמו שמע קול הגפת
תריסים ונבעת קול צהלת סוסים
ומרתת קול ליעוז קרנים ונבהל
רואה שימוט סייפים ומים יורדים
בין ברכיו.

m.Sotah 8:5

Rabbi Akiva says: “Afraid and faint of heart’ means exactly what it says: one who is not able to stand in the battle-ranks and to see a drawn sword.” Rabbi Yosi the Galilean says: “Afraid and faint of heart’: this is one who is afraid to go into battle because of a sin they once committed. Therefore, the Torah offers them all these different reasons to leave the army and they can choose one of them as a reason to return home.”

רבי עקיבא אומר הירא ורך הלבב
כמשמעו שאינו יכול לעמוד
בקשרי המלחמה ולראות חרב
שלופה ר' יוסי הגלילי אומר הירא
ורך הלבב זהו המתירא מן
העבירות שבידו לפיכך תלתה לו
התורה את כל אלו שיחזור בגללן.

t.Sotah 7:22

Rabbi Akiva says: “One who is afraid’, the meaning is obvious. But why does the Torah use a second phrase, ‘or faint of heart’? This means that even one who is the bravest of the brave, or the strongest of the strong, if they are merciful, they should go home.”

ר' עקיבא אומ' מי האיש הירא
ודאי מה ת"ל שוב ורך הלבב
שאפלו גבור שבגבורים וחזק
שבחזקים והיה רחמן היה חוזר.

DISOBEYING ORDERS

Rome Statute of the International Criminal Court, article 33

The fact that a crime ... has been committed by a person pursuant to an order of a Government or of a superior, whether military or civilian, shall not relieve that person of criminal responsibility unless: (a) the person was under a legal obligation to obey orders of the Government or the superior in question; (b) the person did not know that the order was unlawful; and (c) the order was not manifestly unlawful. For the purposes of this article, orders to commit genocide or crimes against humanity are manifestly unlawful.

BACK TO THE BIBLE

Judges 5:9

My heart is with the leaders of Israel, those from among the people who have volunteered for war. Praise God!

לְבִי לְחֹקְקֵי יִשְׂרָאֵל הַמִּתְנַדְּבִים בְּעָם
בְּרַכּוֹ יְהוָה:

Geoffrey B Levey, “Judaism and the Obligation to Die for the State” (1987)

Deborah exalts, not the fact of participation, but the fact that such participation was freely entered into. But what, to bring the tension to the straining point, of those who exercise their will and opt not to fight? How shall they be judged? As independent souls due respect or as betrayers of duty? When the crunch comes, the tension is resolved by Deborah in favour of the independence of those who refrained.

