

Wars of King

Ref: Sefer Shoftim, Hilchot Melachim, Chapters 4–6

The whole purpose of a King is to wage wars and to execute justice and destroy the power of the wicked (for the sake of Heaven).

- He may levy taxes and impose duties on goods
- Employ soldiers
- Employ servants and attendants
- Employ craftsmen to construct his equipment
- Take animals, servants and maids (he pays for them)
- Take wives and concubines (a concubine has less *halachic* nature than a wife, but it is a King's right to acquire concubines)
- Appoint officers
- Take fields (with payment) to feed his army when they go to war
- Entitled to 1/10 of products in country
- Messianic King entitled to 1/3 of all conquered land as his own
- Property of one executed by the King, belongs to the King
- Spoil of war shared between King and army (King takes first 50%)
- Lands conquered belong to the King. He may apportion to his servants and soldiers as he desires.

All the deeds of the King should be for the sake of Heaven.

His intentions are to

- Establish the true religion
- Fill the world with justice
- Destroy the wicked
- Wage the war of Hashem

The whole purpose of establishing a King is to execute justice and wage wars.

Land of *Eretz Yisrael* and Beyond



To destroy the seven nations who lived in the Land of Canaan⁶, Not to allow any one of them to remain alive⁷, To destroy the descendants of *Amalek*⁸, To remember what *Amalek* did⁹, Not to forget *Amalek*'s evil deeds in ambushing our People on the way to *Eretz Yisrael*¹⁰, Not to dwell in Egypt¹¹.



Mipi Hashmuah – Remembering *Amalek* is with words (e.g. said on *Purim*), and 'not to forget' is keeping enmity in the heart.

A King fights 2 types of war

- *Milchemet mitzvah* – War within *Eretz Yisrael* against the 7 nations and *Amalek*. Also includes defence against an attacking enemy.
- *Milchemet reshut* – War fought with other nations in order to expand the borders of *Eretz Yisrael*.

A King should not wage any other war before a *milchemet mitzvah*.

	<i>Milchemet mitzvah</i>	<i>Milchemet reshut</i>
Permission needed from <i>Sanhedrin</i> (71 judges)	✗	✓
King can create roads through private fields for the war	✓	✓

If King first conquers *Eretz Yisrael* fully (*milchemet mitzvah*), and then proceeds to enlarge borders with *milchemet reshut*, then the new conquered land becomes part of *Eretz Yisrael*. The only place in the world where it is forbidden for a Jew to settle, is Egypt. However it is permitted to return there for trade and commerce.

Also if the King conquered the whole country (i.e. Egypt), one would be allowed to live there.

It is also forbidden to leave *Eretz Yisrael* for the Diaspora except under special circumstances. One achieves great merit even from walking **4 amah** on its soil.

Being buried in *Eretz Yisrael* gives atonement like the Temple *Mizbeach* but the merit is not as one who lives and dies in *Eretz Yisrael*.


Just as it is forbidden to leave *Eretz Yisrael*, it is also forbidden to leave *Babel* (Babylon) for the Diaspora.



To offer peace to the inhabitants of a city when besieging it and to carry out the laws governing the siege as described in Torah according to whether they surrender or refuse¹², No offer of peace should be made to *Ammon* and *Moav* when we siege their land¹³

Not to cut down fruit trees during a siege¹⁴. This *mitzvah* applies also to fruit trees in peace times, and also not to destroy any item for no purpose.

To set up a toilet outside the army camp¹⁵, The obligation to carry a shovel (To cover the excrement.)¹⁶ This is because G-d walks among the camp and it should be kept Holy.

	<i>Milchemet Mitzvah</i>	<i>Milchemet Reshut</i>	Explanation
War should not be waged until they are offered opportunity for peace	✓	✓	
Offer peace to <i>Ammon</i> and <i>Moav</i>	✗	✗	If they request peace we could offer it
Terms of peace are twofold i.e. to accept 7 mitzvot of Noah, and to subjugate to the rule of Israel.	✓	✓	Their peace offer is unacceptable if they choose one or the other. Both have to be accepted.
If war takes place, only males over majority are killed while women, children, property etc taken as spoil	✗	✓	Against 7 Canaanite Nations and <i>Amalek</i> , no soul should be left alive
Siege should only cover 3 sides of city to allow those to flee who so wish	?	✓	 <i>Mipi Hashmuah</i>

Not to destroy fruit trees at a siege	✓	✓	Nor at any other time (unless there are special circumstances) This also applies to damaging anything with destructive intent.
May wage war even on <i>Shabbat</i>	✓	✓	
Person killed in war should be buried where he is	✓	✓	
There should be special facilities for toilets	✓	✓	Because Hashem is present in Camp and it should be kept Holy
Other leniencies apply during war	✓	✓	<p>4 leniencies</p> <ul style="list-style-type: none"> • <i>Demai</i> may be eaten • No need to wash hands before bread • Wood can be gathered from anywhere • <i>Eruv chatzerot</i> not needed <p>🔔 Reminder: Table Carrying on <i>Shabbat</i> Fencing domains, <i>Sefer Zemanim</i>, <i>Hilchot Shabbat</i>, Chapter 10</p> 