



# The moral imperative

A central component of our power as a nation is our capacity to meet threats while retaining our humanity and our Jewishness

**THE INTIFADA** of the knives targets Israelis at random – a pedestrian in the street, a soldier at a checkpoint, a settler in her home. But the deeper goal is not injuring individuals; rather it is to break the Israeli spirit and undermine our very existence as a Jewish nation state.

Every dead or wounded Israeli pains us all deeply. But from the terrorists' point of view, the pain and bereavement are instruments to subvert our national project.

So the question that needs to be asked is: Will the terror succeed in breaking our national will? Anyone who travels around the country will see that it is functioning normally. Everywhere the streets are full of life, with the dynamic tempo that characterizes Israel. Some of us listen to the news more frequently than usual. The security forces have a larger presence. The nerve ends of many mothers are more frayed at the edges than usual. But nothing major has changed in our national life.

Israel, with its long history of suffering, remains as strong, determined and life-affirming as ever. True, the intifada of the knives should not be underestimated and must be stopped. But it does not pose a significant threat on the national level. On the face of it, the terror seems to have been defeated by the very fact of Israel's enduring normalcy.

But events in Hebron during the Purim week in late March opened a large crack in the general picture. The unauthorized shooting to death by a soldier of a neutral-

ized but still living Palestinian terrorist has had significant public repercussions. Paradoxically, it is not the terrorist's knife that is disrupting our lives, but rather the soldier's action and the tsunami of emotional responses in its wake.

**There is a huge disparity between the IDF high command and the Israeli public on the issue of purity of arms**

A close reading of the events points to a very problematic development: a huge disparity between the positions of the IDF high command and the Israeli public at large on the issue of purity of arms. It is possible that Israel's last remaining sacred cow – the army's incontrovertible public standing – is being slaughtered before our very eyes. If that proves to be the case, it could well mean that the intifada of the knives has not failed.

Recent surveys by the Israel Democracy Institute show a low point in Israeli confidence in the three governing authorities: the Knesset (legislature), the Supreme Court (judiciary) and the government (executive). In parallel, there has been a continuing erosion of public confidence in other public institutions like the Chief Rabbinate and

the police and in private institutions like the media and the banks. Even the presidency, an institution Israelis love to love, is not immune.

The IDF alone consistently gets virtually wall-to-wall support (with the exception of Haredim and Israeli Arabs). The reasons for this are self-evident. First, Jews in Israel understand the vital importance of the army for their survival. Second, almost every family sends sons and daughters to do military service. This is an unparalleled emotional investment and helps to explain the nation's love affair with the IDF.

But this too could change. IDF Chief of Staff Gadi Eisenkot warned in mid-February against unwarranted killing of terrorists. His is not an idiosyncratic position. On the contrary, standing IDF rules of engagement have always conformed to international law and Western moral norms, according to which lethal force may not be used in non-life-threatening situations.

This was the case from the very beginnings. During the 1948 War of Independence, the poet Natan Alterman published a poem criticizing a war crime committed by IDF troops. Then prime minister David Ben-Gurion ordered the poem distributed in 100,000 copies to all soldiers as a warning against abuse of arms. All this at the height of a war for survival, during which one in every hundred Jews in the fledgling state was killed in action.

Ben-Gurion, as national leader, was not prepared to gloss over criminal conduct by



the army. In a letter of appreciation to the poet, he wrote, “You were a spokesman, a pure and loyal spokesman, for the conscience of mankind. If that conscience does not beat in our hearts in days like these, we will not be worthy of the great deeds we have been able to achieve so far...”

The current chief of staff was following Ben-Gurion’s lead when he distributed a message to the soldiers entitled, “Defending the Home – Preserving the Purity of Arms.”

The majority of the public, however, seems to hold a different view. Even before the events in Hebron, 53 percent of Israeli Jews held that knife-wielding terrorists should be killed, irrespective of the degree of threat posed. The shooting in Hebron underlined this vast difference of opinion between the IDF high command and the public.

Both the army and Defense Minister Moshe Ya’alon strongly condemned the shooting. And the military police arrested the soldier responsible and led him away handcuffed. But when it came to the public at large, a poll on Israel TV’s channel 2 found that 42 percent described the soldier’s action, although he had not been given any order to fire, as “responsible,” 24 percent held that it was a “natural response to pressure” and 57 percent felt that he should not be tried.

These sharp differences of opinion between the public and the army could lead to a crisis in public confidence in the military high command. The hurly-burly of

Israeli politics, impatient and extreme, is fueling the argument instead of calming things down. In so doing, it is undermining the capacity of the military leadership to create conditions in which soldiers refrain from using force according to their political views, and act, as they should, solely in accordance with IDF procedures and commands.

Support by politicians and other public figures for the soldier’s action, coupled with open attacks on the IDF high command’s standing orders, is an anti-national act of the highest degree.

The worst knifer danger lies not in the disruption of our daily lives; Israelis are inured to that kind of thing. The far more serious threat is to our moral compass. The recurring pictures of knife-wielding terrorists foaming at the mouth and assaulting innocent Israelis make the blood boil and sap rational thought. The twilight zone between war and peace complicates matters further. This is not a time of war, in which the army is permitted to use arms more freely. But nor is it a time of peace in which any use of arms is seen as most irregular.

The uniqueness and cruelty of the knife offensive plants in us an evil spirit that discards basic moral standards. What was obviously forbidden just yesterday – lynching someone who no longer poses a threat – becomes permissible and many even see in it an act of heroism.

There is a crying need for responsible leadership that refuses to surrender to the

evil spirit, but rather acts to overcome it. We cannot allow the fundamental humanist values that distinguish us from our enemies to become a punching bag for national fears and narrow political interests.

A central component of our power as a nation is our capacity to meet threats while retaining our humanity and our Jewishness. Irresponsible shooting of a neutralized terrorist may kill the terrorist, but it wounds us as a people. In fact, it serves the deeper purposes of the terror: fragmenting Israeli society.

It is a test for Israel’s leadership. It should come out with an explicit declaration that all the major components of the state’s identity as Jewish and democratic obligate us to oppose killing terrorists in operational situations that do not demand lethal use of force.

It must make clear that the most effective answer to the daily terror in our streets has to be both forceful and moral. Not only the army, but political leaders, rabbis, writers and even families of victims of terror should all deliver a single message to the effect that we will not copy the terrorists and resort to immoral acts, driven by vengeance, anger, fear and frustration. We are bound by the biblical injunction (Deuteronomy 23:14) to keep our camp holy. ■

*Prof. Yedidia Stern is vice president of the Jerusalem-based Israel Democracy Institute and a professor of law at Bar-Ilan University*