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AMALEK: THE RISK OF RHETORIC

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The mitzvah of wiping out Amalek raises the classic philosophic question of ends and means. Amalek represents ultimate evil, and genocide is ultimate evil: may one commit genocide in order to eliminate ultimate evil?

This formulation is dangerously false. It confuses rhetoric with reality.

Amalek is a specific genealogical group, the descendants of the tribe that attacked the Jewish people at Refidim. They were not the only evil people in the world, then or now. Killing all the genealogical Amalekites in the world would not eliminate evil in the world.

Eliminating a **representation** of ultimate evil does not eliminate that evil. Genocide against a representation of ultimate evil recreates that evil rather than removing it.

What then justifies the mitzvah?

Before we approach that question, we need first to establish a key background fact.

All of us are constantly reminded of how difficult it can be for people from the Soviet Union to prove that they are Jewish. 75 years of anti-religious and anti-Semitic communist rule left many people with no clear sense or evidence of ancestry. Now imagine if it were 2500 years, and there were no Jews in the world outside the Soviet Union, no defined social group with even the haziest connection to Judaism, and no record of any specifically Jewish languages or practices.

That's what it would be like to prove to our halakhic satisfaction today that any specific person was an Amalekite. Utterly impossible.

To make the mitzvah of Amalek meaningful in our day, then, requires us to think about the mitzvah symbolically.

We can say that we need to fight the representation of evil with our own representation of good. For example, we might identify Amalek with lack of *yir'at Shomayim* (=fear/awe of Heaven), and so emphasize the importance of developing our own religious mindfulness. Or we might identify Amalek with sloth, and seek to become models of diligence. Or with lack of sportsmanship, or disregard for social justice, et cetera. All these can be great spurs to moral and ethical self-improvement and drivers of *kiddushei shem Shomayim* (sanctifications of the Name of Heaven).

This is the standard rhetorical approach taken by commentators through the ages. They treated Amalek the same way they treated all other mitzvot that have no practical contemporary application, by trying to find a way they could nonetheless teach a contemporary lesson.

(I have several times heard an argument that commentators offer symbolic interpretations of Amalek because they have ethical difficulty with the literal mitzvah. This seems to me completely baseless.)

Here too, there is a grave risk of confusing rhetoric with reality. We can erroneously decide that the symbolic meaning of the mitzvah is also the halakhah.

In the case of Amalek, the risk of confusion is particularly grave, as the mitzvah-action is mass killing.

The most common case of such confusion stems from the Rav's citation of his father to the effect that all nations whose aim is the genocide of the Jewish people are considered Amalek.

This was a rhetorical move that had great appeal in light of Stalinism, the Shoah, and especially the establishment and survival of the State of Israel in the face of attacks with explicitly announced genocidal intentions. The trope of Amalek serves the beneficial purpose of convincing us that genocidal threats can be real, and that we need to respond to them militarily as well as spiritually.

The risk involved in such a rhetorical move is also clear. Listeners may make a category error akin to taking "an eye for an eye" literally. A genocide for a genocide leaves the whole world dead.

The rhetorical hook for Rav Moshe Soloveitchik's idea is the language of Rambam in Laws of Kings 5:2-3.

*There is a DO commandment to devastate the Seven Nations,
as Scripture says You must surely devastate them.
Anyone who had one of them come to his hand and did not kill him – violates
a DO NOT,*

as Scripture says Leave no soul alive.

But their memory has already been erased.

*So too, there is a DO commandment to destroy the memory of Amalek,
as Scripture writes You must erase the memory of Amalek,
and a DO commandment to continually remember his evil deeds and his
ambush*

so as to arouse hatred for him

as Scripture says: Remember that which Amalek did to you.

Rabbi Soloveitchik notes that Maimonides says "their memory has already been erased" regarding the Seven Nations, but not regarding Amalek. However, genealogical Amalek should be as gone as the Seven Nations. It follows that there must be a non-genealogical Amalek.

This does not actually follow. In his Introduction to the Book of Commandments, Maimonides explains why the mitzvah to destroy the Seven Nations is considered “for the generations,” and therefore among the 613, even though the Seven Nations have already been destroyed:

*So too, to kill the Seven Nations and destroy them is a commandment we were commanded,
and it is an obligatory war,
and we are commanded to scour after and pursue them in every generation until they are ended and no man remains from them.
And so we did,
until they ended and were cut off via David
and scattered and mixed in among the nations until they were left with no name.*

In other words, **this** mitzvah is not genealogical – it is fulfilled even if genealogical descendants remain, so long as the culture is gone. By contrast, regarding Amalek,

*Would you think
that when Hashem the exalted destroys the **descendants** of Amalek utterly and cuts them off to their end, as **will happen speedily in our days** as He promised “for I will surely erase the memory of Amalek,”
that we would say then that the Exalted’s statement “You must erase the memory of Amalek”
is not a mitzvah “for the generations?”
This cannot be said,
rather it is for each and every generation
Any time that a descendant of Amalek can be found – there is a commandment to cut him off.*

In other words, it is precisely **because** the mitzvah of Amalek is **purely** genealogical that it remains operative in our day, even though it cannot be fulfilled, because we have no way of identifying Amalekites. (This is why the consensus opinion is that conversion applicants from the Seven Nations are accepted, but there is controversy about whether the same is true about Amalekites.)

Even if the specific attempt at symbolization were not demonstrably wrong from a rigorous halakhic perspective, the attempt to give it contemporary halakhic significance would be demonstrably wrong on numerous other grounds, among them:

1) The verse containing this commandment begins

When Hashem gives you respite from all your enemies surrounding

An almost identical phrase precedes the commandment to build the Temple in Devarim 12:10. On this basis, Rabbi Yehudah states on Sanhedrin 20b that “The Jews were given three commandments upon entering the Land: to appoint a king, to destroy the descendants of Amalek, and to build the Temple.” Maimonides cites this statement in Laws of Kings, and makes clear, as both its language and interpretational history do, that the commandment to destroy Amalek is dependent on the prior fulfillment of the command to appoint a king (Chinnukh disagrees).

2) Hagahot Maimoniyot states that the commandment applies only in the Messianic Era, after the full conquest of the Land. His position is almost a medieval consensus (Chinnukh disagrees.)

3) Yereim states that the Mitzvah applies only to the king. (Chinnukh disagrees.)

4) The plain meaning of the verse is that it applies only when there is peace on our borders.

5) The implication of that plain meaning is that even if we were to accept that the symbol of the mitzvah has halakhic implications, Amalek stands for an enemy who is not on our borders, which I suggest means they must have no territorial dispute with us. Possibly it means that they cannot have any practical conflict of interest with us.

I acknowledged several times in the above list that the Sefer HaChinnukh (604) disagrees. He holds that the mitzvah to wipe out Amalek is exactly parallel to that of the Seven Nations, even using Rambam’s language “if one comes to your hand, etc.” So it is important to note that Minchat Chinnukh immediately comments “but nowadays we are not commanded regarding this, because Sancheriv came and mixed up the world . . .,” and to my knowledge no one has suggested that this is an incorrect interpretation of Chinnukh.

Radbaz challenges several of the points above on the grounds that Shaul was commanded by Shmuel to destroy Amalek. One standard response is that this was a *hora’at sha’ab*, an ad hoc decree rather than a fulfillment of the Torah command. This response may seem forced. However, in Maimonides’ Introduction to the Mishnah Commentary, he cites Shmuel’s command to Shaul as an example of prophetic “commands and warnings that are not about religious matters” (צווים ואזהרות שלא בעיני הדת).

Let me be clear that the rationale for a mitzvah is sometimes given practical halakhic significance. This is what we call *darshinan taama dikra* (which is subject to its own extensive halakhic discussion). To take a famously radical and controversial example, ROSH held that since the purpose of the mitzvah of writing a Torah scroll is in order to learn from it, in a culture where Torah scrolls are kept in arks and used only in liturgical contexts, one fulfills the mitzvah by writing Torah codexes and Torah commentaries and halakhic works.

However, there remains a difference between rationale and law. There are often clear reasons that the Torah chose to limit the legal implications of the rationale to specific cases. Law is about balancing values. Any claim that a rationale extends the law, especially to an entirely new set of cases, must be subjected to extremely careful and rigorous halakhic scrutiny (as that of ROSH has been). Rabbi Soloveitchik’s symbolization of Amalek cannot survive such scrutiny in principle, let alone in any potential contemporary application, and therefore must be understood purely as rhetoric, and every citation of it should make that absolutely clear. In the age of Yigal Amir, everyone who cites it must make absolutely clear that it is pure rhetoric. *Laaniyut daati*, it would be safest and best not to use it even rhetorically in the vast majority of contexts. “Sages, be careful with your words!”