

**Jews in the Armed Forces:
The Struggle between Military
Acculturation and Religious Identity.**

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The purpose of this thesis is to primarily demonstrate two main concepts about Jews in the military. The first is to show that Jews have always served in the Armed Forces all over the world throughout history, very often even rising to the highest ranks. The second is that although most Jews in the Armed Forces were often unconcerned with maintaining the ability to practice *halakhah*, there nevertheless were challenges that Jews faced.

In the 19th century, the Hofetz Haim issued a manual which expounded on the details of how a Jewish soldier must attempt to follow Jewish law while under compulsion of the military. However, after WWII, there is an increasing effort to accommodate Jews and enable them to follow their customs. We see this in the combined efforts of the Reform, Conservative, and Orthodox movements in the creation of a Jewish military prayer book, as well as a set of responsa fashioned in order to address the modern needs and inquiries set forth by Jews serving the Armed Forces.

The thesis is broken down into four chapters which are as follows...

- 1) The Jewish Soldiers in Pre-modern Times, Proto-Rabbinic and Rabbinic Times
- 2) The Jews in the Military in Large Numbers - translation
- 3) Jewish Military Service Throughout History
- 4) Modern Issues Concerning Jews in the Military

Tanakh and Talmud are used to illustrate the point that Jews have always served in the military. The Encyclopedia Judaica, as well as other modern online sources was consulted for information regarding modern Jewish soldiers. A translation of selected parts of the manual issued by the Hofetz Haim in the 19th century shows the efforts and concerns put forth by the Jewish community for fellow Jewish soldiers to keep Jewish law. Finally, *Responsa in War Time* issued by the National Jewish Welfare Board is a practical guide which confirms the genuine and concrete issues that arise for Jews in the military.

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Introduction

There has always been a myth that Jews have either never served as soldiers, or have been weak or poor, or second class soldiers. A study of Jewish history proves the opposite. From biblical days on, Jews have been very much involved in the military. Both when Jews had their own state or commonwealth and just as often, if not more so, when Jews have served under the banner of a host country, or under the banner of a country in which they were equal citizens.

Accordingly, I have undertaken the task to make a brief preliminary study of Jews in the military. I have indicated the references in the bible and in early second commonwealth literature to Jews who have served valiantly within the Jewish armies and also within the armies of host countries. In the case of Samuel Ha-Nagid, they even served as general in chief of the forces of their state.

I have also made a compilation and a study of Jews who have served in the military, often with the highest rank and the highest honors in the respective countries of their sojourn. This happened once the modern world emancipated Jews from being different citizens living under their own law into being citizens living under a general law with everyone else.

I have indicated some of the prominent features of Jewish service in the various countries and highlighted personalities who have made significant contributions to their country as military men (women are a modern counterpart to this). In return, they have been the recipients of some of the highest honors, including the Congressional Medal of Honor, given to unusual valor in the armed forces of the United States.

I have worked on the most unusual texts prepared by the Hofetz Haim in 19th century Russia, which serves as a type of bridge between the past and present. In 19th century Russia, Jews who lived under their own laws were nevertheless conscripted into the Russian army for long periods of time, often at the age of twelve. The Christians then arose among Jews as to what obligations these Jews have as Jews in a military which was not under a Jewish banner.

The Hofetz Haim does his best to bridge the two cultures, the Jewish culture, and the military culture. In so doing, on the one hand, he tries to get soldiers to keep as many ritual commandments as possible. He perhaps places even greater emphasis upon the need for Jewish soldiers to keep the moral virtues of the commandments of Judaism while recognizing all important subordination for all of the Jewish practices to the will of the Czar and his lieutenants. In the process, he praises the Czar to the heavens and indicates that the Czar is kind and merciful. Any tribulations and difficulties to which the Hofetz Haim refers with regard to soldiers in the military and to Jews in general, refer to other countries and not to Russia.

In this connection, one immediately recognizes that Jews who served in the military in the modern world where they were full citizens of a country have the same problems of Jewish observance as those having been emancipated. They can choose freely what they wish to do, even if they wish to do nothing, and did not have to try to bridge the gap between the old culture and the new.

Chapter One

The Jewish Soldiers in Pre-Modern, Proto Rabbinic and Rabbinic Times

Jewish Soldiers in Pre-Modern Times

Jewish Soldiers in Proto Rabbinic and Rabbinic Times

Jewish Soldiers of the Middle Ages

The Jewish Soldiers in Pre-Modern Times

There are numerous sources within Judaism that give proof to the fact that Jews have served as soldiers in their armed forces and regularly engaged in battle. In biblical times, and in the *Tanakh* itself, there is much showing how and when Jews fought as soldiers and had their own armies. However, since biblical times are pre-*halakhah*, there is no way to gauge any form of *halakhic* observance of these Jewish soldiers, if there was even any. The following are the biblical sources and their contexts.

1) 1 Samuel 14:39 *For as the LORD lives who brings victory to Israel, even if it was through my son Jonathan, he shall be put to death!" Not one soldier answered him.*

During the reign of Saul, the Philistines raid the nearby land. Jonathan secretly heads to the Philistines to kill them. Saul notices and eventually sends his army to help. Saul makes an oath and curses anyone that eats anything before the evening, but Jonathan does not hear and eats some honey he finds. This quickly leads to others following and ignoring Saul's curse. Saul builds an altar, insisting that it be used to sacrifice before the food is eaten, and he condemns to death whoever is at fault for violating his curse. Saul finds out it was Jonathan, so reluctantly condemns him, but the army (soldiers) threatens to revolt if Saul kills him, so he does not.

2) 2 Samuel 17:8 *You know," Hushai continued, "that your father and his men are courageous fighters, and they are as desperate as a bear in the wild robbed of her*

whelps. Your father is an experienced soldier, and he will not spend the night with the troops;

3) 2 Samuel 17:10 *and even if he is a brave man with the heart of a lion, he will be shaken -- for all Israel knows that your father and the soldiers with him are courageous fighters.*

After receiving advice from both Ahithophel and Hushai, Absalom chooses Hushai's plan to send all Israel to attack David over Ahithophel's host. Hushai tells Absalom that David is an experienced fighter along with his soldiers. He then sends word to David of the plan. Absalom sends his army across the Jordan, and David prepares his own troops, asking that Absalom be treated gently. A huge battle erupts between the armies, and while riding on his mule, Absalom gets caught in a tree by his hair and is stuck hanging there. Although the first people from David's side to discover Absalom like this refuse to harm him because David's request, But Joab has no problem and kills Absalom. David becomes extremely upset but pulls himself together and returns victorious to Jerusalem, accompanied by the soldiers of Judah.

4) 2 Samuel 23:20 *Benaiah son of Jehoiada, from Kabzeel, was a brave soldier who performed great deeds. He killed the two sons of Ariel of Moab. Once, on a snowy day, he went down into a pit and killed a lion.*

This takes place toward the end of Second Book of Samuel when David is dying. The warriors and what they did are listed. Benaiah was one of David's warriors.

5) Isaiah 3:2 *warrior and soldier, judge and prophet, diviner and elder,*

This verse appears to attest to the existence and importance of soldiers. The first part of the book of Isaiah prophesize judgment against Judah itself. Judah thinks itself safe because of its covenant relationship with God. However, God tells Judah (through Isaiah) that the covenant cannot protect them when they have broken it by idolatry, the worship of other gods, and by acts of injustice and cruelty, opposing God's law.

God takes away everything from Jerusalem and from Judah, including the whole supply of bread and the whole supply of water; Soldier and warrior, Magistrate and prophet, Augur and elder; The captain of fifty and the honorable man, the counselor, the skillful artisan, and the expert enchanter. And God will make boys their rulers, And babes shall govern them, so the people shall oppress one another -- Each oppressing his fellow:

6) 2 Kings 25:4 *Then the wall of the city was breached. All the soldiers left the city by night through the gate between the double walls, which is near the king's garden -- the Chaldeans were all around the city; and the king set out for the Arabah.*

At this time, the Jews had amassed a considerable army on their own. Zedekiah rebelled against the king of Babylon. Nebuchadnezzar set out against Jerusalem with his whole army. He besieged it; and they built towers against it all around. The city continued in a state of siege until the eleventh year of King Zedekiah. By the ninth day of the fourth month the famine had become severe in the city and here was no food left for the common people. Then the wall of the city was breached. All the soldiers left the city by night through the gate between the double walls. The Chaldeans were all around the city and the king set out for the Arabah. But the Chaldean troops pursued the king, and they overtook him in the steppes of Jericho as his entire force left him and scattered. They captured the king and brought him before the king of Babylon at Riblah; and they put him on trial. They slaughtered Zedekiah's sons before his eyes and then Zedekiah's eyes were put out. He was chained in bronze fetters and he was brought to Babylon.

7) 2 Kings 25:19 *And from the city he took a eunuch who was in command of the soldiers; five royal privy councillors who were present in the city; the scribe of the army commander, who was in charge of mustering the people of the land; and sixty of the common people who were inside the city.*

The Chaldeans broke up the bronze columns of the House of God including the stand, and the bronze tank that was inside. They carried the bronze away to Babylon. They also took all the pails, scrapers, snuffers, ladles, and all the other bronze vessels used in the service. The chief of the guards took whatever was of gold and whatever was of silver. The two columns, the one tank, and the stands that Solomon provided for the

House of God all contained bronze beyond weighing. The chief of the guards also took Seraiah, the chief priest, Zephaniah, the deputy priest, and the three guardians of the threshold. And from the city he took a eunuch who was in command of the soldiers; five royal privy councilors who were present in the city, the scribe of the army commander, who was in charge of mustering the people of the land and sixty of the common people who were inside the city.

8) Nahum 2:4 *His warriors' shields are painted red, And the soldiers are clothed in crimson; The chariots are like flaming torches, On the day they are made ready. The arrows of cypress wood are poisoned,*

Nahum shows God to be slow to anger but also one who will by no means clear the guilty but will bring his vengeance and wrath to pass. God is strong and will use means, but a mighty God does not need anyone else to carry out vengeance and wrath for him. Nahum carries a particular warning to the Ninevites of coming events, although he is partly in favor of the destruction.

9) Ezra 8:22 *for I was ashamed to ask the king for soldiers and horsemen to protect us against any enemy on the way, since we had told the king, "The benevolent care of our God is for all who seek Him, while His fierce anger is against all who forsake Him."*

Artaxerxes I tells Ezra to bring to Jerusalem all the captives that remain in Babylon. Ezra institutes a fast while on his way to Jerusalem. The verse above is said during the time of the journey to Jerusalem.

10) 1 Chronicles 11:22 *Benaiah son of Jehoiada from Kabzeel was a brave **soldier** who performed great deeds. He killed the two sons of Ariel of Moab. Once, on a snowy day, he went down into a pit and killed a lion.*

See above: 2 Samuel 23:20

11) 2 Chronicles 28:14 *So the **soldiers** released the captives and the booty in the presence of the officers and all the congregation.*

2 Chronicles (chapters 10-36) is a chronicle of the kings of Judah to the time of the Babylonian exile, concluding with the call by Cyrus the Great for the exiles to return to their land.

King Ahaz, son of David, did not do what was pleasing to God, and because of this God delivered him over to the king of Aram, who defeated him and took many of his men captive, and brought them to Damascus. He was also delivered over to the king of Israel, who inflicted a great defeat on him.

A prophet of God by the name of Oded said to them, “Because of the fury of the God of your fathers against Judah, He delivered them over to you, and you killed them in a rage that reached heaven. Now then, listen to me, and send back the captives you have taken from your kinsmen, for the wrath of God is upon you!” So the soldiers released the captives and the booty in the presence of the officers and all the congregation.

Jewish Soldiers in Proto-Rabbinic and Rabbinic Times

The Hasmoneans headed the rebellion against the Seleucid kingdom, established an autonomous Jewish state, seize the most important regions of Israel, and absorbed a number of neighboring Semitic peoples into the Jewish people. The successful rebellion of the Hasmoneans assured the continued existence of the Jewish religion and influenced monotheism in Western culture and history.

The Hasmoneans were a priestly family, probably one of those which had moved from the territory of Benjamin to the lowlands of Lydda in the last days of the First Temple. They belonged to the Jehoiarib division of priests, who lived in Modi'in on the border of Samaria and Judea. When the restrictive edicts of Antiochus were extended to the country towns and villages of Jewish Palestine, Mattathias b. Johanan, then the head of the family, led the revolt in Modi'in, uniting under his leadership all those who were opposed to Antiochus' policy. -

After Mattathias' death in 167/166 B.C.E., his son Judah Maccabee, a military genius, succeeded him as leader of the revolt. He won many victories against the Seleucid army, and achieved the conquest of Jerusalem and the purification and rededication of the Temple in 164 B.C.E. Judah continued to strive for the autonomy of Judea. He won additional victories against the Seleucid forces and in 161 B.C.E. established an alliance with Rome. Though Judah's death in battle slowed down Judea's progress toward independence, his brothers Jonathan and Simeon continued his policy, taking advantage of declining political star of the Seleucid dynasty to strengthen their own influence and to extend the borders of Judea. They took over the districts of Lydda, Ramathaim, Ephraim,

and the Ekron region, conquered Jaffa port, and seized control of the fortresses of the Acra in Jerusalem and Beth-Zur. When Jonathan Apphus, the youngest son of Mattathias, took over the high priesthood in 152 B.C.E., he made this office one of the Hasmoneans' main sources of power. In 143–142 B.C.E., Demetrius II recognized the independence of Judea, and in 140 B.C.E. a decree was passed by the Great Assembly in Jerusalem confirming Simeon as high priest, ruler, and commander of the Jewish people and making these offices hereditary.

Simeon's son, John Hyrcanus (134–104 B.C.E.), continued the territorial expansion. He conquered Idumea, Samaria, and portions of Transjordan, and forcibly converted the Idumeans to Judaism. The internal crisis produced by a rift between the Hasmoneans and the Pharisees began during his reign. John's heir, Aristobulus I (104–103 B.C.E.), was the first Hasmonean to declare himself the title of king. Aristobulus continued the policy of conquest, compelling the Itureans in the north to become proselytes.

During the reign of his brother, Alexander Yannai (103–76 B.C.E.) who succeeded him, the Hasmonean state reached the height of its power. The whole of the sea coast, from the Egyptian border to the Carmel, with the exception of Ashkelon, was annexed to Judea. Yannai also extended his rule over some of the Greek cities of Transjordan and strove to establish absolute authority as king and as high priest. It was his latter capacity which brought him into open conflict with the Pharisees. Yannai's wife, Salome Alexandra (76–67 B.C.E.), continued her husband's foreign policy, but reached an understanding with the Pharisees on internal affairs. Pompey's annexation brought the independence of the Hasmonean state to an end. Though the Romans allowed Hyrcanus

II, the oldest son of Alexander Yannai, to remain high priest and ruler, they abolished the monarchy and also detached large areas from Judea. Much had been gained, however—Judea proper, as well as Galilee, Idumea, many parts of Transjordan, the coastal plain and the coastal belt remained Jewish in character and culture for a long time as a result of the Hasmoneans' policy.

The last to attempt to restore the former glory of the Hasmonean dynasty was Antigonus Mattathias, with the help of the Parthians. His defeat and death in 37 B.C.E. at the hands of the Romans brought the Hasmonean rule to a close, and prepared the way for Herod. Herod, however, at the height of military success had strengthened his position by betrothal to Mariamne, the granddaughter of Hyrcanus II whom he consequently married. The popularity of his sons by her, Alexander and Aristobulus, and of their grandson (Herod Agrippa I) was due to their Hasmonean descent.¹

Josephus Flavius, also known as Yosef Ben Matityahu (Joseph, son of Matthias) lived from 38 C.E. until after around 100 C.E. He was a historian and one of the chief representatives of Jewish-Hellenistic literature. At the outbreak of the Jewish War in 66 C.E., Josephus was appointed commander of Galilee. According to a traditional and obvious lacquered account, when the city fell in 67, Josephus fled with forty men to a cave. Each man agreed to slay his neighbor rather than be taken captive by the enemy. Josephus cast the lots, managing to be one of the two last men left alive and then persuaded his companion to go out with him and surrender to the Romans. Josephus relates the story that when he appeared before Vespasian, he foretold the greatness that was in store for the Roman commander, who spared his life, binding him in chains only.

¹ Menahem Stern, *Encyclopedia Judaica*.

When Vespasian was proclaimed emperor at Caesarea, Josephus, who was with him there, was released from his chains. From there he went to Alexandria, and when Titus was given command of the army with orders to take Jerusalem, Josephus accompanied him. Josephus tried several times to persuade the rebels to lay down their arms, but they treated him with contempt. The Romans suspected him of being a spy and would have killed him had he not had Titus' protection. He continued to accompany Titus after the capture of Jerusalem.

Josephus left to settle in Rome where he was granted Roman citizenship and a pension by the emperor, who allowed him to live in his palace. He never again saw his native land. Josephus was hated by the Jews. Both in and outside Rome, they despised and hated him for his past and tried to harm him when they could. After the suppression of the revolt of the Zealots, who had escaped to Cyrene, the rebels accused him of having been the organizer, but Vespasian refused to believe them.²

Simeon Bar Kokhba (died in 135 C.E.), was the Jewish leader who led what is known as the Bar Kokhba revolt (132- 135 C.E) against the Roman Empire in 132 CE, establishing an independent Jewish state of Israel which he ruled for three years as. His state was conquered by the Romans in 135 following a two-year war.

Dio Cassius states that before it began, Hadrian had established a new city in Jerusalem, called Aelia Capitolina. He built a temple to Jupiter in the new city, infuriating the Jews and provoking a war. There were other factors that aggravated the situation as well. For example, the harsh rule of Tinnaius Rufus, the new Roman

² Editorial Staff of the Encyclopedia Judaica.

governor of Judea and the disillusionment of the Jews who had hoped that Hadrian would restore the ruins of Jerusalem aggravated the situation.

Dio Cassius gives a brief account of the course of the revolt. Accumulating arms by deceiving the Roman authorities, the Jews waited for the right opportunity, and when Hadrian left, they openly rebelled. At first the Jews seized towns which they fortified with walls and subterranean passages. Hadrian was compelled to send for one of his generals, Julius Severus, who specially came from Britain to Judea. Due to the large number of the rebels and their desperate fury, Severus refrained from waging open war, and preferred to surround their fortresses and prevent food from reaching them. Gradually he succeeded in wearing down the Judean fighters, on whom he inflicted heavy blows without respite until he reduced them to a state of complete submission. Dio Cassius states that the rebellion, which was prepared in detail, spread until the whole of Judea was in revolt. In its scope and intensity, the revolt took on the dimensions of a war which constituted a threat to the empire.

Bar Kokhba made a final stand at Betar in the Judean Hills. In talmudic and midrashic sources, Betar represents the fortress in which the rebels found refuge, and its fall, along with the defeat of Bar Kokhba who died there, symbolizes the end of the revolt. The accounts of the massacre carried out in Betar attest to the ferocity of the struggle. Tradition says that Betar was taken on the Ninth of Av. Bar Kokhba's rule lasted more than three years. In Jewish tradition the fall of Betar was a disaster equal to the destruction of the First and Second Temples.³

³ Samuel Abramsky, Encyclopedia Judaica.

All of the above examples continue to show that Jews played a major role in fighting for their rights to practice Judaism, perform its rituals and worship God. When necessary, throughout history, the Jew has become the soldier, often creating their own armies, as with Judah Maccabee, Josephus (despite the fact that many Jews considered him a traitor) and Bar Kokhba. While they did not always win their battles, they fought to the end and often succeeded in wounding their enemies.

Unlike the Bible, the Talmud gives only a few examples also showing how Jews served as soldiers because the Talmud was codified at a time when this was less of an issue. Jews did not have their own armies because they relied on the host army of their country for self defense. The Talmud deals much more with *halakhic* issues and much less with soldiers and armies because they experienced very little fighting at that time.

Talmud - Mas. Eruvin 17a

Mishnah

Four things (they) exempted in the (military) camp: They may bring wood from every place, and they are exempt from washing their hands and from demai (something that is suspect) and from the duty of making an eruv.

Gemara

The rabbis taught: A camp that goes out to a (subjective) optional war, they are permitted to steal dry wood. Rabbi Judah son of Teima says: Also may camp in any place. And in the place that they are killed, there they will be buried. This is the ordinance of Joshua. For the master said: Joshua has ten stipulations: that there will be pasture in the thick substance and they may gather wood from their fields! In that case, it is (prickly shrub). In this case, it is left over (remaining) wood. Alternatively, in that case, it is attached (connected). In this case, it is detached. Alternatively, in that case, it is the moist (wood). In this case, it is dry (wood).

Rabbi Judah son Teima says: They may also stay in every place, and in the place that they are killed, there they are buried.

This is a (explanation) teaching, he is an (unattended corpse) and an unattended corpse acquires his place. It was needed only, for even though...continued in next passage

The Mishnah deals with the issue that because of their situation, soldiers are exempt from several things. First they are permitted to bring wood from anywhere into the camp they are residing. They are also exempt from washing their hands, and from the restrictions of *demai* (that is, produce about which there is doubt as to whether it has been tithed (something that is suspect)). Finally they are also exempt from have to build an *eruv*.

However, the Gemara expounds on that by then permitting a soldier to be buried in the place that he has died. This is explained by the fact that they are permitted to gather dry wood from anywhere they find it and that people are allowed to feed their cattle in the woods and gather woods from their fields.

Talmud - Mas. Eruvin 17b

Although he (the soldier) has buriers, it is taught in a *Baraita*: Which is an unattended corpse? All that has no buriers, if he would call and others would answer him, this is not an unattended corpse. And does an unattended corpse acquire his place? But it was taught in a *Baraita*: If one finds a corpse placed (lying) on large highway (main road), he moves it to the right of the highway or to the left of the highway.

An uncultivated (empty) field or a plowed field, he moves (the corpse) to the uncultivated field. A plowed field and a sown field, he moves (the corpse) to the plowed field. If both were plowed or both were sown, or both were uncultivated, he can move (the corpse) to any direction he wishes!

Rav Bivi said: In this case we are dealing with a corpse lying on the boundary. Since it is taught that permission has been given to remove it from the boundary, one moves it to whatever direction he wishes.

And they (the soldiers) are exempt from washing hands. Abaye said: They did not teach only from the first water (washing), but the latter washing is obligatory. Rav Chiya bar Ashi said: From what did they say the latter washing is obligatory? Because there is Sodomite salt that blinds the eyes. Abaye said: And this is found one grain in a kor (a measure of capacity). Rav Aha the son of Rava asked him (Rav Ashi), What if one measured salt? He (Rav Ashi) answered him: This should not be questioned.

And from *Demai* (suspect) for we have learned (in a Mishnah) that we may feed poor people from *demai*.

Rav Huna said: A *Baraita* has taught, Beit Shammai says: We may not feed poor people *demai* or soldiers *demai*, but Beit Hillel says: We may feed poor people *demai* and soldiers *demai*.

Halakhic Issues

Mishnah and Gemara *Masekhet Eruvin daf 17* discuss various *halakhic* issues that arise regarding the rules that soldiers are exempted from when they are in an army camp.

The first *halakhic* ruling that the rabbis taught was that when an army camp goes out to fight a discretionary or optional war (including a war that may lead to expansion of the land of Israel) the soldiers are permitted to steal dry wood. The text specifically states that it may be dry wood because this is wood that the owners may have set aside for use as fuel. It goes without saying that the soldiers would be permitted to steal moist wood because that would be less valuable and possibly even abandoned by its owners. However, dry wood is wood that is usable and something that the owners would miss.

Rabbi Yehuda ben Teima says that the soldiers are permitted to camp anywhere they would like, even if it is on private property. And wherever the soldiers happen to be killed, they are buried there as well.

The Gemara now explains the various rulings of this *Baraita*.

The soldiers are permitted to take any wood they would like because of the ten stipulations that Joshua enacted. These enactments apply to everyone because Joshua set these ten stipulations when he divided the land of Israel among the Jews. Among these conditions, the people may pasture in the wooded areas even if it is privately owned because these areas are usually not harvested. Therefore, people may gather from the fields, even if they are owned by others.

In the case of Joshua's enactment, it refers to various types of low bushes, which the owners usually do not value. In the case of war regarding the leniencies for the soldiers, it refers to the other wood.

In another situation, in the case of Joshua's enactment, it refers to attached wood which first must be chopped down and is therefore more likely to be abandoned by its owners. In the case concerning the leniencies for the soldiers, it refers even to detached wood even though that is of more value to its owners than the attached wood. Alternatively, in the case of Joshua's enactment, it might refer to moist wood, which would also more likely to be abandoned by its owners because it is less suitable to be used as fuel. However, in the case concerning the leniency for the soldiers, it refers even to dry wood.

The Gemara now explains and questions the next part of the *Baraita* concerning the issue raised by Rav Yehuda ben Teima that soldiers may be buried in the place that they are killed.

The Gemara says that this ruling is obvious because the dead soldier is an unattended corpse. The unattended corpse (a body that has no relative to attend to its burial needs) is binding and obligatory on anyone who comes across it. An unattended corpse assumes ownership of the site where he has died. Wherever he is found, he is entitled to be buried regardless of who owns the land. What is different about a fallen soldier compared to any other unattended corpse that Rav Yehuda ben Teima needed to specifically mention his right to be buried at the site he was killed? The ruling that a fallen soldier may be buried at the site he was killed was needed in order to teach that even though he may have people to bury him, he still has the right to be buried on the site that he died.

It was taught in a *Baraita*: Who or what is considered an unattended corpse that one would be obligated to bury if that person came across the body? The answer is

anyone who does not have someone to bury them. However, if the dead would call and others would answer, then this is not considered an unattended corpse. In other words, if the dying person would summon relatives in the area to attend to his burial, he is not considered an unattended corpse.

The Gemara challenges the assumption that an unattended corpse acquires the right to be buried at the site that he was killed. It was taught in a *Baraita* that if one finds a corpse lying on a main highway, then he may move the corpse to the right or to the left of the main highway. If the road has an empty or uncultivated field on one side and a plowed field on the other side, then the corpse is moved to the uncultivated field. The reason for this is because the financial loss is minimized since the owner of the plowed field has made an investment of labor whereas the owner of the uncultivated field has not. If the road has a plowed field on one side and a sown field on the other side, the corpse is moved to the plowed field and buried there. Again, the reason is because it is the less costly option. If both fields on either side of the road are plowed, or sown, or uncultivated, then the person may move the corpse to whichever side of the road he desires. It is interesting to note that the corpse is actually moved from the site where it is found despite what the Gemara states about a corpse acquiring the right to remain where it was killed.

In response to this, the Gemara states that Rav Bivi said that in the case when we are dealing with a corpse lying across the boundary line, one moves it to whichever side he wishes because permission has already been given to remove it from the boundary. It must be moved from its position across the width of the road so that *Kohanim* and other

travelers who must remain *tahor*, or clean, do not contract *tumah* or become unclean from the grave.

The Gemara now discusses the next part of the Mishnah which exempts soldiers from the obligation of washing hands before a meal. Abaye said that the sages of the Mishnah did not teach that the soldiers were exempt from all washing. Rather, they are exempt only from the first ritual washing that is obligatory before the meal. However, the latter washing after the meal is obligatory even for soldiers because of the danger that it prevents.

Rav Hiyya bar Ashi asked: Why did the Rabbis say that the latter washing is obligatory? The reason is because there is Sodomite salt that blinds the eyes. Because of this, the Rabbis made it a requirement to wash one's hands after the meal in order to ensure that the any salt that may be on one's fingers is eliminated in case he were to inadvertently put his hand to his eyes and blind his eye. Abaye disagrees with Rav Hiyya bar Ashi and says that this damaging salt is found only in the concentration of one grain in a *kor* (a certain measure of capacity or equivalent of 4,320 eggs) of ordinary salt. Rav Aha the son of Rava asked Rav Ashi what the law is if one were to measure salt. Must he also wash his hands, or is the law specific to eating a meal? Rav Ashi agrees with Abaye and said that this should not be questioned and someone who handles salt must certainly wash his hands afterwards.

The Gemara now discusses the next part of the Mishnah which states that soldiers are exempt from the Rabbinic prohibition of eating *demai* (questionable produce because it is not known if tithes were separated from it). The Gemara confirms this leniency and

states that from the Mishnah (*Demai* 3:1) we have learned that we may feed *demai* to poor people and soldiers who are in battle.

However, this ruling is not unanimous. Rav Huna said that a Baraita taught that Bet Shammai says *demai* may not be fed to poor people and soldiers, while Beit Hillel says that poor people and soldiers in battle may be fed *demai*.

Moral Issues

This passage raises several moral and philosophical questions concerning what is permitted and what is forbidden. In every decision there are consequences suffered by one person or another and there are certain questions that come up that I believe are important to address.

In the first section of this passage, soldiers in battle are permitted to steal wood, even if it is on private property. The details of which kind of wood they are permitted to steal are also discussed. According to the ten conditions that Joshua set when he divided the land of Israel, people may pasture their animals in the wooded areas even if it is privately owned. The reason for this is because people do not usually harvest what grows in those areas. In these same areas, people may also gather wood from fields that are also owned by others. In this enactment, it is made clear that the leniency has particular restrictions. In Joshua's enactment, it refers to areas that have various types of low (prickly) bushes which are not generally valued by their owners.

However, in the situation concerning the soldiers, they are permitted to take or steal any kind of wood. In general, people are permitted to take wood that is still attached and needs to be chopped down. This kind of wood is mostly likely to be abandoned by its

owners and so one is not taking anything away from them by taking the wood. One is not permitted to take wood that is already detached. However, a soldier in battle is permitted to take this detached wood. A soldier is also permitted to take both moist wood and dry wood. Moist wood is less suitable for fuel, so it is also more likely to be abandoned. In this situation, exceptions are being made for the soldier to take something from its owner that may be considered valuable.

On the one hand, it is logical that a soldier in battle may be concerned with many other problems and may not have the time to chop down their own wood or seek out dry wood that is for sale. But several questions must be addressed at this time. First of all, one may not know if the person whom the wood is being taken from is in dire straits themselves. In times of emergency and for the sake of *pikuach nefesh* exceptions are always made. Is this situation a matter of survival? This passage does not address whether the soldier is in an emergency situation. Obviously if the soldier is going to freeze or starve without it, then stealing the wood is justifiable. Nor does the passage address the number of soldiers in need of this wood. The chances are that it is not a single soldier that is taking the wood. If they are in high numbers, this may clean the owner out of their necessities. *Pikuakh Nefesh* also pertains to the owner and they have a right not to freeze or starve as well.

Another issue which must be addressed is the question of whose field it is. Are the soldiers fighting a discretionary war on their own land or in an enemy land? Perhaps the soldiers want to take the wood so that their enemy cannot use it. That may be considered a tactic of survival. However, what if the fighting is taking place on the soldier's home land? Are they then stealing and possibly even hurting their own people?

To what extent are the citizens of any (home or away) land responsible for the soldiers? It is interesting to note that the Constitution of the United States that “No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law” (Third Amendment). In this case, and perhaps when a soldier is not in his own country, it may be argued that he should follow the law of the land. The principle of *Dina d'malchuta dina* ("the law of the land is law") recognizes non-Jewish laws and non-Jewish legal jurisdiction as binding on Jewish citizens of a country, provided that they are not contrary to laws of Judaism. Stealing is certainly contrary to Jewish law.

In addition to this passage, the Torah states that “when you are at war with a city and have to lay siege to it for a long time before you capture it, you shall not destroy its trees by putting an ax to them. You may eat their fruit, but you must not cut down the trees. After all, are the trees of the field men, that they should be included in your siege? (Deuteronomy 20:19)” If it is not a matter of *pikuach nefesh*, the according to Torah one cannot take wood that is attached even if it is more likely to be abandoned by its owners.

In the next section of this passage, the Gemara discusses that soldiers are permitted to be buried in the place that they are killed. It refers back to the law concerning a *met mitzvah* or an unattended corpse who requires ownership of his site or the place that he is found. This is also one of Joshua’s ten conditions made when he apportioned out the land to the Jews. The Gemara does not explain the details as to why Joshua decreed that an unclaimed corpse should be buried where it was found. It is pointed out by Hazon Ish (*Oholos* 22:22) that while it would seem more fitting to bury a corpse in a cemetery, it was feared that in the absence of caring relatives, the corpse may

be neglected and left unprotected in the middle of the road. However, even if a soldier has heirs to bury him, the soldier still has the right to be buried on the site he was killed.

I see this particular passage as presenting a moral dilemma concerning the rights of the owner of the land in which the soldier is killed. The argument of needing to bury an unattended corpse at the site it was found holds a sound argument. If there is no family or friends to bury the body, then it makes sense that the person who finds the body becomes responsible to make sure that it is cared for and buried, even if only at the place where it is found. However, in the situation where a person (in this case, the soldier) has someone to bury him, why is the law in favor of the one who is dead as opposed to the one who is alive? Clearly, if the body is buried on someone's property, then it is possible that the part of the property where the body is buried becomes unusable for land. The owner of the land has no say even when the soldier is not an unattended corpse. Several of the laws which grant soldiers certain rights and exemptions are logical. But what is the reason here in that a soldier should be permitted to be buried at the site he is killed when he does have somebody who cares for him and may bury him in a proper cemetery? Judaism respects the dead, but should it not respect the living even more?

An argument that might support the idea that a corpse, even a soldier, does not acquire its site, derives from the fact that when a corpse is found in the middle of a main road, it must be moved to the right or to the left. Depending on what is on either side of the field determines which side the corpse is moved to and buried. If an unattended corpse does indeed acquire its site in the road for burial, it should be buried there and the landowners on either side of the road are entitled to oppose and block its burial in their fields since the corpse has a place for burial. Since the *Baraita* has ruled that the owners

are powerless to do so, then it must be concluded that an unattended corpse does *not* acquire its site. (*Torat Hayyim, Maharsha, Mahadura Basra*) Therefore, since a soldier must also be moved out of the middle of the main road, then it can be argued that he too does not acquire his site.

The parts of the passage which discuss whether or not soldiers are obligated to wash their hands before a meal or eat *demai* do not concern me in the same way because they affect the individual soldier more than they affect others. Both in the case of stealing wood and acquiring a site to be buried affect and may even cause damage (usually financial) or harm to other people. The limits of what soldiers are permitted and exempted to do present several theological and ethical questions which I attempted to raise in this paper. In situations such as these, the answer is not always clear and becomes apparent that there are times when others will need to make sacrifices whether it is their choice or not.

It is clear from this *Mishnaic* and Talmudic passage that there exists much flexibility and room for interpretation of the *halakha* depending on the situation in which Jewish soldiers find themselves. Judaism understands the need to make exceptions of the law when there are special circumstances surrounding the situation. This malleability of the *halakha* demonstrates that Judaism is a living and breathing religion recognizing the importance of adapting to its modern surroundings.

Sanhedrin chapter 11

Mishnah 5

The false prophet, who prophesies about what he did not hear and what was not said to him – his death is by the hands of man; but one who suppresses his prophecy, and one who disregards the words of the prophet, and the prophet who transgressed his own words – his death is by the hands of Heaven, for it is written, “I will require it of him” (Deut. 18:19)

Mishnah 6: One who prophesies in the name of idolatry, and says, “Thus said idolatry” – even if he conformed to the law, to make unclean the unclean and to make clean the clean. One who has intercourse with a married woman – as soon as she came under the control of her husband for the purpose of marriage, even though she has not had sexual relations, if one has intercourse with her, then he is strangled. False witness against a priest'

Talmud - Mas. Sanhedrin 89b

And it came to pass after these words, that God did tempt Abraham. What is meant by after? R. Johanan said on the authority of R. Jose b. Zimra: After the words of Satan, as it is written, And the child grew, and was weaned: [and Abraham made a great feast the same day that Isaac was weaned]. Thereupon Satan said to the Almighty; ‘Sovereign of the Universe! To this old man Thou didst graciously vouchsafe the fruit of the womb at the age of a hundred, yet of all that banquet which he prepared, he did not have one turtle-dove or pigeon to sacrifice before thee! Hath he done aught but in honor

of his son!’ Replied He, ‘Yet were I to say to him, "Sacrifice thy son before Me", he would do so without hesitation.’ Straightway, God did tempt Abraham . . . And he said, Take, I pray thee [na] thy son. R. Simeon b. Abba said; ‘na’ can only denote entreaty. This may be compared to a king of flesh and blood who was confronted by many wars, which he won **by the aid of a great warrior**. Subsequently he was faced with a severe battle. Thereupon he said to him, ‘I pray thee, assist me in battle, that people may not say, there was no reality in the earlier ones.’ So also did the Holy One, blessed be He, say unto Abraham, ‘I have tested thee with many trials and thou didst withstand all. Now, be firm, for My sake in this trial, that men may not say, there was no reality in the earlier ones.

Your son.

[But] I have two sons!

Your only one.

Each is the only one of his mother!

Whom you love.

I love them both!

Isaac!

And why all this [circumlocution]? — That his mind should not reel [under the sudden shock]. on the way Satan came towards him and said to him. ‘If we assay to commune with thee, wilt thou be grieved? . . . Behold, you has instructed many, and you have strengthened the weak hands. Your words have upheld him that was falling, and thou hast strengthened the feeble knees. But now it is come upon thee, and thou faintest.’ He replied, ‘I will walk in mine integrity. ‘But’, said [Satan] to him, ‘should not thy fear

be thy confidence? ‘Remember’, he retorted, ‘I pray thee, whoever perished, being innocent?’ Seeing that he would not listen to him, he said to him, ‘Now’ a thing was secretly brought to me: thus have I heard from behind the Curtain. "the lamb, for a burnt-offering but not Isaac for a burnt-offering." He replied, ‘It is the penalty of a liar, that should he even tell the truth, he is not listened to.’

R. Levi said [in explanation of ‘after these words’]; After Ishmael's words to Isaac. Ishmael said to Isaac: ‘I am more virtuous than thee in good deeds, for you were circumcised at eight days, [and so couldst not prevent it], but I at thirteen years’. ‘On account of one limb wouldst thou incense me!’ he replied: ‘Were the Holy One, blessed be He, to say unto me, Sacrifice yourself before Me, I would obey’, Straightway, God did tempt Abraham.

Our Rabbis taught; A prophet who seduced [people to idolatry] is stoned; R. Simeon said; He is strangled. The seducers of a seduced city are stoned; R. Simeon said: They are strangled. ‘A prophet who seduced is stoned’. What is the reason of the Rabbis? — Similarity of law is learnt from the employment of ‘seduction’ here and in the case of a *mesith*: just as there execution is by stoning, so here too. But R. Simeon maintained: [Simple] death is provided for in this case, and by every unspecified death sentence in the Torah strangulation is meant.

‘The seducers of a seduced city are executed by stoning’. What is the reason of the Rabbis? — Similarity of law is learnt from the employment of ‘seduction’ here and in the case of either a *mesith* or a prophet who seduced. But R. Simeon maintained: similarity of law is learned from the employment of ‘seduction’ here and in the case of a prophet who seduced. But let us rather deduce it from *mesith*? — An analogy is drawn

between two who incite a multitude, and not between one who incites a multitude and another who seduces an individual. On the contrary, should not an analogy be drawn between two laymen, rather than between a layman and a prophet? — R Simeon maintains, since he seduced, no man is more of a layman than he.

A Great Warrior

Sandhedrin 89b in the Talmud is mostly unrelated to what we read in the Mishnah which precedes it. The Mishnah speaks about false prophets, and the discussion in the Talmud appears to be a divergence. With regard to the warrior figure in the Talmud, it speaks about Abraham's test to sacrifice Isaac. This is compared to a human king, confronted by many wars, which is won by the aid of a great warrior and is subsequently faced with a severe battle. Metaphorically, God is the king and Abraham is the great warrior. This is like a comparison between a Commander in Chief and a soldier and Abraham is that great soldier.

Jewish Soldiers of the Middle Ages

Jews served in all kinds of armies, including in the Muslim Iberia. One example of this includes the case of Samuel Ha-Nagid.

Samuel b. Joseph ha-levi (993-1056) (surname Ibn Nagrila) was born into prominent family originally from Merida eventually settling in Cordoba, in al-Andalus. Samuel was given a superior education and was sent to study with teachers, among them Rabbi Hanokh. He was encouraged by his father to apply himself diligently to his studies, including several languages and to general sciences. Samuel continued to excel over his classmates. He gained a mastery of biblical Hebrew, Arabic, and Latin languages, as well as astronomy, geometry, and logic. He became well versed in the Koran and the works of Moslem theologians.

But in 1013, the conquest by the savage Berbers was responsible for Samuel ha-Levi's decision to leave Cordoba and make his way to Malaga. Samuel's reputation of being a man of broad education with an excellent Arabic stylist in Malaga opened up opportunities for him. He was approached by a maid servant to the vizier of Granada and asked if he would write letters on behalf of her master. He agreed, and his work was so impressive that soon he was promoted to the staff of the King of Granada. In 1027 Samuel Ibn Nagrila was appointed to collect taxes in the Sinhadja dominions and from then on he was given the title "the *Nagid*." He went from tax collector, to secretary, to assistant vizier, to vizier (1030s). Samuel attained a status that had never before been reached by a Jew in Spain.

Much of Samuel's work as vizier included leading the army of Granada, which were in constant battle with Arab Seville. In 1038–1039 Samuel fought his first major battle and won against the army of Almeria, ruled by Zuhayr, a Slav, and his Arab vizier Ibn Abbas.

In 1039 there was a victory over Seville which took place around Carmona. During this time, Samuel ha-Levi composed a hymn of praise to the God of heaven and hearth containing 149 lines, almost equaling the number of the Psalms. Carmona was finally taken in 1043. In 1042 Samuel came to help the city of Lorca in eastern Spain. He also led difficult campaigns against Abu Nur of Ronda in 1045 and against Malaga in 1049. In the 1050s Samuel was constantly fighting against Seville and her allies. Samuel ha'Nagid died while leading a military campaign 1055-56.

He's also known for his poetry. “His long descriptions of armed combat are his most characteristic creations and give him a special place in the history of Jewish literature...His poems depict at great length the progress of the battle – the slaughter of the foe, the corpses devoured by beasts of prey, his elation at the misery of the widows and children of fallen soldiers.”⁴

There exists evidence of Jewish military participation in the Christian Reconquest of the Iberian Peninsula. Among the evidence is a document from 1266 details the apportionment of property in Jerez de la Frontera listing ninety building that were assigned to Jews. Most of the beneficiaries were Jewish court officials. This document indicates that there was a well established Jewish quarter, with synagogues and other communal Jewish institutions, even before the Reconquest. There were Christians living

⁴ Eliyahu Ashtor, The Jews of Moslem Spain, (The Jewish Publication Society, Philadelphia, 1992) page 118.

inside the *juderia* and Jewish outside of it. In 1272, the Jews of Murcia were assigned their own quarters and were forbidden by Alfonso X to live among the Christians. This is the first evidence that there was increasing religious pressure. Nearby, a Jew fighting for the Castilian cause is reported to have fallen in battle.⁵

⁵ Yitzhak Baer, A history of the Jews in Christian Spain. (Jewish Publication Society, 1992) page 113-114.

Chapter Two:

The Jews in the Military in Large Numbers

Translation of *Sefer Mahne Yisrael*

***Hoda'ah* –Acknowledgments**

Hakdamah

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Until World War II, Jews in the nation states that had become democratic usually did not serve in large numbers in the military, but those who did serve were almost without exception fully acculturated to the way of life of their respective nations. Often, if not nearly always, they belonged to families who had been living there for many generations and had become fully acculturated, and often assimilated.

These Jewish soldiers, were, at least in their military status, more concerned with blending fully into their respective armed forces than with the maintenance of Jewish customs and ceremonies which would have pointed them out as different from the mainstream. Exceptions were rare, and even more rarely documented. In addition, most of the soldiers found in chapter three were not conscripts, but volunteers.

The tug for Jewish soldiers between the need to serve, on the one hand, as military people without distinctive privileges, and on the other the desire to retain a Jewish identity, is a product of the modern world and especially World War II, and the Western world, where Jewish soldiers were conscripts and where large numbers of them were first generation citizens of the countries they were serving. It is their struggle between full assimilation into the military and the retention of a Jewish identity that occupies chapter four of this essay.

In this chapter, I turn my attention to an unusual treatise which reveals this tension in a country, namely Russia, which at least militarily had entered the modern world and which had imposed universal conscription of lengthy duration on its citizens. This situation posed an especially difficult problem for Russia's Jewish communities, which were living under restrictive pre-democratic conditions and feared, justifiably, that their Jewish sons and grandsons would, while in the service, lose their Jewish identity.

The full assimilation of these young men, often only boys, was indeed the plan of the Russian government. It consequently made no plans for Jewish chaplains, Jewish religious services, dietary needs or any other vehicle for Jewish continuity.

As a result, all efforts at the retention of Jewish identity had to be achieved within the military framework by Jews who could find opportunities, usually of leisure, but just as often against all odds, to connect to their faith and therefore keep alive the hopes, and the morale, of the folks back home, for the far-off time of their discharge, when they could return to their communities as Jews.

To help them in this regard the pious Israel Meir ha-Kohen Poupko, eventually known as the Hofetz Haim, composed a book called *Mahane Israel*, dealing with the fundamental *halakhic* requirements for Jews in the military. The circumstances of the composition of this book are not known, but, judging from its editorial content, it is fair to assume that the Hofetz Haim was chosen to do so by the government. It was not that the government had any interest in the continuation of Jewish identity. On the contrary, there can be no doubt that it desired the ultimate assimilation of all of its soldiers. But it clearly did want to placate the Jewish communities with the reassurance that it was trying to help the Jewish soldiers with their religious observance, at their own time and in their own way, knowing full well that the degree of Jewish devotion, even among the most devout, would be minimal and difficult.

We can easily discern this reality from two elements in the structure of the *Mahane Israel*. The first is the fulsome praise heaped by the author on the Czar and his retinue, as we see particularly, but not exclusively, in the foreword of his book, and second, in the specific details of ritual performance and ethical behavior.

Sefer Mahne Yisrael

Hoda'ah –Acknowledgments

The greatness of our honorable sire, his gracious Excellency the Czar, is universally recognized. From the moment God favored his ascension on the imperial throne he began to exercise righteousness, clemency and kindness with everyone and to proclaim freedom for all the numberless peoples in his realm, permitting them to pray for the safety of our sire, his Excellency the Czar and for the peace of all his counselors and princes, large and small. May God exalt them all.

Nor is it widely known how often when I preach publicly in the synagogue and in community I admonish people to fulfill what King Solomon, of blessed memory said [in Proverbs] my son, fear God and the king.” And I admonish people always to pray for the peace of our sire his Excellency the Czar and success because in his peace there will be peace for all those who abide in his shadow and on the success and tranquility of his princes who sit on seats of judgment. This is especially so since they upheld society and vouchsafe the welfare of all dimensions of the state so that there should be peace and tranquility through all our borders and that every person should be able to live tranquilly in his abode.

In addition, they provide strength and encouragement to all the religions of the nationalities on the state. The explanation of this matter is consistent with Talmud tractate *Berachot* and *Shulkhan Arukh (Orah Hayyim)* section 224 which says “whoever sees the king should say the blessing, (oh God) who has given his glory to the king”, etc. Who has given from his glory means that we are obligated to serve God and keep God's

commandments in faithfulness, therefore God has apportioned some of his glory to a king of flesh and bone and has ordered us to keep His commandments within the laws of the state. This is what is meant by the Book of Proverbs which says “Oh my son fear the Lord and the king and do not associate with people who say otherwise and so forth. And who will depart from the hand of both of them. That is what is meant by the phrase, “Oh my son, fear God.” Next, fear the King. And do not associate with anyone who has different ideas, who change the commandments of God and the king. Do not join their company, because heaven forbid suddenly havoc will come from both God and the King, to whoever breaks God’s commandment. And the King’s commandment do we not know great havoc they create, because the fear of the king is also a commandment of God as we read in *ketubot 17* and in *Sanhedrin 19* where it says, “you shall place upon yourself a king so that the awe of him should be upon you.” And this is true with the kings of all the peoples of the earth, as we see in *Zevachim* in 102, “at all times let the fear of the government be over you as it is said all your servants came down to me, etc.”

Rabbi Samuel Edels (part 1 of his writings wrote) as follows, “The kingdom on earth is like the kingdom of heaven and whoever despises its honor it is as if he were offending God himself.” This is the end of quote of Rabbi Samuel Edels.

In the same vein and they also say that we should at all times teach and emphasize that even if your bedrooms you are commanded to fear the ruler, as it is said in *Baba Batra* in section b from the case of King Herod, as Rambam says in *Mishnah Torah Hilkhos Melakhim*, “A great honor do they give the king and endow him with the fear and reverence in the heart of all people, etc our command demands a sincere and heartfelt awe. And so we are commanded to love the king unconditionally and confidently and to

always pray for the kingdom as is explained in *Avot* 3. And as Ezra states we should pray for the life of the king and his children while Jeremiah says “place your necks into the yoke of the king of Babylon and serve him and his people and live.” And similarly we are commanded to pray for the wellbeing of the state, as it is written, [In Jeremiah] “And you should seek the peace of the city and pray to God because in its peace you will have peace.” Also, similarly we are commanded to accept upon us all of the king’s laws and statutes with the great love and faithfulness that our sages have said the law of the land is the law.

Thus it is a great sin to evade military service from many points of view. One, from the essential point of view that indeed it is a great merit for anyone who is fortunate enough to be a servant of the great king. Is not the greatness of the work of compassion of our sire, the Czar, known to all because he shows compassion to all the people of the land without any distinction between people of peoples. Truth to tell, is he not our keeper? Does he not guard us in the shadow of the wings of his kindness so that we should not be afflicted with any ill inside or outside our land? How such a good deed as this be compelled from anyone? Recall the oath which we took when our sire, his Excellency the Czar, was enthroned on his lofty throne. We took the oath to serve him truthfully and wholeheartedly so the oath which God made us take not to rebel against the kingdom as it is written in *Ketubot* 101,

“Now let no person corrupt himself by saying that since he entered the king’s service he is thereby compelled to transgress the entire Torah during his entire period of service. Therefore if you think that it would be better to evade service in such a case, he would be transgressing what is right and proper and his oath and he would be punished

from above. Therefore, he should not try to transgress the entire Torah and be punished more. This would be a great mistake because our sire, his Excellency, the Czar, is a kind ruler of and does not compel to transgress any of the details of the Torah in anything which is not opposed to the statutes involving the service of the military. He does not compel us to transgress the Torah while we are serving in the army. And we can explain the matter simply so that it is understood to all. For example, we the children of Israel have been commanded in our holy Torah to put on *tefillen* and to pray everyday and if heaven forbid, that our lofty government should complain. On the contrary, it itself admonishes us and orders us that we should be servants to the king and trustworthy people and that everyone should love the Lord and the ruler only that it is necessary for any sensible person indeed to make sure that he fulfills the Lord's duty before the time for his work his military duties in order to avoid his military work because that would be a great sin as we have written. And if perchance the soldier should delay in fulfilling a commandment, he could pray after the completion of his duties in the military. So too, he can fulfill the evening prayer he can fulfill after he has completed all the work of the day. So too, in the case of Passover; if our lofty government compels a Jew, heaven forbid, to eat bread. And so too, with forbidden foods, if it forces him to eat forbidden meat. But even if it happens, heaven forbid, that of a Jew is forced to do something forbidden, we can respond to this that we would not contradict the will of our sire, his Excellency, the Czar because he is a compassionate king. And, similarly with regard to the eve of the Sabbath and anything that could bring an adverse affect to military service our lofty government surely does not prevent us observing the Sabbath properly. For example, if one is a shoemaker and he has given a quantity of work to do that he can complete within

the space of a week, if he knows how to go about it, he can certainly fulfill both laws, the heavenly and the divine, because he would see to it to complete his military work before the Sabbath so that he could comply with the good will of the government and also the will of the Torah. And if he is not in the position to complete the work prior to that, he is then permitted to complete it on the Sabbath if the government's desire is indeed that he should not delay the work from the Sabbath beyond the seventh day for is it not the case that a soldier is certainly duty bound to fulfill the mandate of our distinguished government.

And so too in the same manner, with all of the commandments in the Torah because whoever is smart will be able to fulfill his duties to the state in the most proper way and also the will of God in the holy Torah.

And for this purpose we have compiled this tract to show everyone that we can fulfill what is written in the book of Proverbs, "My son, fear God and the king." That is to say that we are able to fulfill the will of the government in everything which it seeks from us and at the same time nevertheless, we can fulfill the will of God, blessed be He, and there is no contradiction between one and the other.

And part two of this book, will explain the moral qualities that are necessary for everyone and especially a soldier, who is a servant of the king indeed that he should be a good individual and a person of character and that there should not be found in him, heaven forbid, any flaw of theft or violence or drunkenness. And he should be able to fulfill all his matters in a proper way and thereby bring pride and honor in the eyes of our noble government and the eyes of all people. Therefore I hope that whoever studies this

book and dwells on it will not shirk from the military service and will exemplify the scriptural verse that says, “Fear God, my son and the king.”

The fundamental purpose of this entire book is intended to strengthen the faith of Jews in God so that this faith should not falter, heaven forbid, and therefore, that a person should have full faith and believe that everything that happens in this world is a result of Providence from God, blessed be He, and that the will of the king is the result of God’s favor and kindness. Because of the this one should hasten to at the same time fulfill His will and to hasten the oath which we gave to serve our master, his Excellency, the Czar, in truth and in integrity this would not be the case, if heaven forbid, a person’s faith were weak and for then, everything in him would be weak, heaven forbid and all of this would be a capital sin. This is already implicit in the verse which says, “My son, fear God and the king.” That is, when there is a fear of God there is also a fear of the king. May God almighty strengthen our hearts to return to Him in truth.

Also, to let you know that if there is found in this book a statement that we the people of Israel are at then present time in deep straits, my intention heaven forbid, is not to refer to our country because indeed we here abide under the shadow of the gracious wings of, our sire his Excellency, the Czar in whose domain there is not an adversary, or evil occurrence, but only peace and well being throughout all our borders and everyone is able to stay in his place in peace. No, on the contrary, our intention would be with regard to the kingdoms which are far away, which even now do not believe in God and His Torah and which are still are idol worshippers as in the past, and the people of Israel are scattered among them even now in bitter exile. May God redeem them from their midst and gather our dispersed people from the four corners of the earth.

Hakdamah

Blessed be *Adonai*, the Lord of Israel in the abundance of whose goodness He has given us, his most precious vessel (the Torah), and brought us into the holy land so that we can be worthy to fulfill all of His commandments and whose only intention is for our good, so that through this means we can become holy unto him, as it is said, “Thus you shall remember to observe all of my commandments and to be holy unto your God” Also that it can be within our power to receive the influence of His goodness and the abundance of His mercy in this world and in the world to come, as it is written, “What does the Lord your God ask of you except to keep the commandment of God and his statutes which I am ordering you this day for your good.

As if it were not sufficient that He has given us his most precious vessel (the Torah) He even ordered us that we should not abandon it as it is written, “Because I have given you a good doctrine, my Torah, do not forsake it.” And this is not the case with human donors, because if one person gives his friend a good gift and his friend does not properly avail himself of it, and it is not precious in his eyes, then the first friend cannot wait for the second friend to release it entirely so it can return and he can benefit from it. But that is not the way of our God, because in every generation, in the days of the First Temple, he raised up for us prophets to return us to the good way. And even in the days of the Second Temple, when the lot of Israel declined in this world, amongst the nations from its previous holiness and it lacked the five things which they had in the First Temple. Nevertheless, while we were in our land, and had a choice house, we were able to fulfill all of the commandments of the Torah and in this way we were able to fulfill (the commandments) requisite for all the parts of the body that are found in us because in

the body there are 248 organs, and 365 veins as it is written in the book called the Gate of Holiness of Rabbi.

But at the end of the Second Temple, the reputation for our internecine hatred and tale –bearing was rife among the nations and because of that the Second Temple was destroyed and we were exiled from our land, as it is said in Jerusalem Talmud *Yoma*, chapter one of *Peah*. From that time until now, everyday, we hope for and pray to God to restore is as He has so many times promised us in his holy Torah through His prophets, yet our prayer is not received before Him as our sages have said, “From the day when the Temple was destroyed, an iron wall separates Israel from their father who is in heaven.”

And in truth, our complaint is not against God, heaven forbid, but against ourselves because on His side, he would not withhold anything, as it is written, “Behold, God’s hand has not slackened from saving you and his ear has not become hardened from hearing, but rather your sins have created a separation between you and your God. And among the peoples of the world, there has been fulfilled against us what is written, in *parasha vaetchanan*, mainly “you shall serve foreign gods the work of the hands of man, stick and stone, who cannot see, etc., etc. This is expounded in the *Targum* to this verse.

And even though we have not lost confidence in God’s acts of compassion, because these are endless and in that very *parasha*, which we have quoted, it is written, “And when God scattered you among the people and so forth” He will nevertheless bring you back.” Indeed, the Holy one, blessed be He, God has already promised us that whenever we seek him, from wherever we are, He will be found for us provided that our petition come forth. As it is written “and you will seek the Lord your God from that place and you will find that when you address God with all your heart and with all your soul,

etc. It is also written there when you are in difficulty, and all these things happen to you and you return to the Lord your God and listen to his voice....

But the Torah does not explicitly explain the manner of our return. That has been revealed to us in a different place, in the section called *Nitzavim*. Here the following is written, “And it will come to pass when all these things have happened to you....and you have returned with all your heart so forth and so on and you return to the Lord your God and you listen to his voice in accordance with everything which I have ordered you this day, and you and your children with all your heart and with all your soul and you return to God, etc. etc. When He will return and gather you from all the peoples among whom He has scattered you.” And this is repeated in the end of the *parasha* where it says, “if you keep His commandments and his statutes that which is written in the book of the Torah....this indeed explains to us most clearly that the essence of repentance is that we be heedful to keep the Torah even when we are in the midst of other peoples and all varied customs. Through this merit will come the redemption, as it is written, “when you return to the Lord your God, etc. and then He will return and gather you, etc. It is also written, if you are scattered at the ends of the Heaven, etc. This has been fulfilled among the peoples of the world in our days where Israel is scattered to the end of the heavens, even in far off America, and so many nations farther still.

Indeed, when we can understand the challenge to the fulfillment of the commandments of the Torah and its statutes in our day among the peoples of the world, it is very difficult for some people who are in their homes and in their own domain to do so, all the more so for Jewish soldiers...

There are some who break the commandments of the Torah with indifference and there are others who disregard the words which the Torah has commanded us to be killed rather than break them. Indeed, when we investigate the cause for the laxity of the fulfillment of the commandments of the Torah among them, there are many many reasons as we will explain at length farther on in the body of the book. But the principal cause in all of them is a lack of the knowledge that they do not know how to comport themselves with regard to matters of faith in situations where they are obligated for military service. We find in the *Shulkhan Arukh*, compiled by the sage, Rabbi Joseph Karo, who said, “For all Jews there are so many laws that are changeable depending upon time and place.” And because this statement can be found in the *Shulkhan Arukh*, nevertheless, this statement offers a great deal of flexibility for those who study the sources of law. Among the latter rabbis, the laws changed many times according to the nature of the question. But in most cases, military people find themselves in a situation in which they do not have anyone to ask for simple religious matters. Nevertheless, these are words which require further study.

Therefore, I have accordingly regarded myself obligated in this matter to cull in great detail from the words of sages and books. The laws that are necessary for them (and everything in this matter which is not opposed to the laws of his Excellency, the Czar, heaven forbid) and I have sought every detail to determine whether we can find in accordance with the *halakha* some statement, or decision, or counsel to make things easier for the soldiers in all circumstances. And I have made it clear that we are making decisions for men like them who are indeed at a time of stress or difficulty. I have also set my eye upon the necessary ethical values for every human being, especially for Jewish

soldiers because when their ethical values are compromised it is also an affront against God Almighty (in addition to being a great sin, which is against the will of our Exalted Empire).

And I have divided this book into two parts. The first part contains all the *halakhot* that are necessary for them and the second part contains all the requisite *halakhot*. And if someone needs certain *halakhot*, or wants to comport himself with regard to a certain ethical preset, then he could look at the table of contents and find the entry.

And indeed, I seek and urge everyone of our Jewish brothers to teach this manual to their sons while they are still in their homes so that in this way they will know how to comport themselves always according to the way of the Torah. After that, if their lot falls to serve in the military, they will also be people of very fine ethical qualities.

I hope to God that whoever becomes learned in this tract, especially in part two, will become a person of the highest ethical quality and that it will redound for pride and honor in the eyes of God and in the eyes of our master of our Lord, the gracious King, His Excellency, the Czar because he also upholds the principle that his servants should be people of trust and fine ethical qualities and that each one should keep his faith in matters that do not contradict the laws of His Excellency, the Czar.

May God make us worthy to keep His Torah and His commandments whether in cases between man and God and cases between man and his fellow man. For this reason it is written in the *parasha*, “When you hear his voice in accordance with everything I order you today, etc.”

Through this manner, the name of heaven will be sanctified among us in the eyes of everyone and there will be fulfilled what is written in the book of Isaiah, where it says, “You are my servant Israel in whom I glorify.”

All of us will then be worthy for the consolation of Zion and Jerusalem. May it happen soon in our day. Amen

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In which is explained the manner of conduct in the recitation of the *Shema* and the morning prayer.

Alef

Now let us consider how a soldier should comport himself with regard to the morning prayer. Of course, it is simple in the summer when it is customary to go to work around or after the seventh hour. Before then one must also have some time for polishing gear and shoes to make them spotless and also to polish weapons. Accordingly one (a Jewish soldier) must get up early in the morning, put on *tefillin* and recite the entire morning liturgy according to the custom of all of Israel and then attend to all the other aforementioned matters before going to work.

Now if one is delayed in getting up and does not have time to say the entire morning prayer, he should don *tefillin* and minimally pray from the blessing of *Yotzer Or* until after the *Shemonei Esrei*.

Bet

And even if he does not have enough time for this, as, for example, when he is unduly delayed in awakening or he has been roused from his sleep very early to stand watch or similar duty and as a result does not have the free time and his watch or other work continues until after the normal time for the recitation of the *Shema*, etc. he should at least recite the *Shema* by itself and at least the first paragraph if he does not have time for all three paragraphs. Then, when he returns from his work or his watch, if it is still

before midday, he can say all his prayers in order and he does not lose the opportunity to say the blessings of the *Shema*. While, in general, it is clear to us that after the fourth hour of the day, he misses the opportunity to say the blessings of the *Shema* here. However, the situation is different here because he is under duress, all the more so, because he has not lost the opportunity to say the prayer of the *Shemonei Esrei* if he can complete it before midday.

Gimmel

And if his work continues until midday, he has lost the opportunity to say the entire *Amidah* and also the *Shema* and its blessings. In any case, he has not lost the opportunity to say the *Pesukei D'zimra* by itself or *Birkhot Hashahar*. He has not lost the opportunity to perform the commandment of the *tefillin* because its time period goes all day, but he is forbidden to eat prior to that time so that he can fulfill the commandment of putting on *tefillin*. Therefore, he should put on *tefillin* and wearing them he should say all three passages (the *Shema*) and after a half hour past midday he should pray the *Shemoneh Esrei* of the *mincha* period. After that he should also pray the *Amidah* in order to complete his prayers instead of the morning *shacharit*.

And it is proper and meet to say these prayers with *tefillin* since he had not managed to say the morning prayer in *tefillin*. In any case, he should say the *mincha* prayers with *tefillin*.

Dalet

And in the winter time when there is a custom to go to work immediately at daybreak, he should get up even earlier, before daybreak in order to prepare himself in every way that is necessary for his duties so that immediately when dawn breaks, even if he does not have time to say the entire prayer, he should at least fulfill the commandment of the recitation of the *Shema*.. And it is sufficient for him to say the first paragraph if there is not sufficient time for all three paragraphs. When he finished his duties, the *halakha* is such that he should say them all.

Hey

Know further, that if time has passed and he has not recited the *Shema* before his watch and his watch has continued until after the time of the *Shema*, he should say the *Shema* silently at the time he goes to his watch and he should also concentrate on the passage *Shema Yisrael: Hear O'Israel and Barukh Shem Kavod Malkhuto L'olam va'ed*. He should stand in his place at the time of the recitation of this passage. Similarly, if time has passed and he has not recited the *Shema* before his work and his work continues until after the time of the *Shema*, if he has an opportunity to recite it in the middle of his work before the required time has passed, as for example, in accordance to what is known that it is customary to allow people at time of rest in the middle of their work at a certain period, then he should recite it and if he can he should silently recite the entire *Shema*. In any case, at least the first passage (which is the *Shema*) and *Barukh Shem Kavod Malkhuto L'olam va'ed*.

And he should not be concerned that he is reciting the *Shema* without *tefillin* because he is not able to fulfill at that time the commandment of the *tefillin* and in any

case, at the time of the service, his mind is not settled upon it, as it is made clear to us in paragraph 38 (*Shulhan Arukh*).

Vav

And thus...is known and that if his duties and his studies continue until midday that he loses the opportunity to say the blessings and the *Shema*, as we said before, if he has the time to say the blessing of *Kriat Shema* in the middle of his work, it is permitted for him to do that at that time, to say the blessings of the *Shema* even without *tefillin* and even if he is unable to say all the blessings, he should say one or two, as it has been established to us that these blessings do not hinder the statement of other blessings. But certainly if he finishes his work and his studies before midday, it is best for him to defer them to the further saying of these blessings until the completion of his work because then his mind will be at ease and he will also be able to put in *tefillin* beforehand.

Zayin

And know that the time for saying of the morning *Shema* continues until the third hour of time which is a fourth of the day, according to a measurement of the hours. So for example, if the day is seventeen hours long, the time for its recitation is until the end of the fourth hour because that is the three time hours. In any case, if the third hour has passed and he has not recited *Shema*, he may recite it with its blessings until the fourth hour because that is the third of the day and his reward equals the reward of one who reads the Torah. From the fourth hour on, he loses the opportunity to say these blessings and even if he is under the compulsion of work, some say, he has not lost the opportunity

to say blessings until noon. So I have found in the book of Maharil. And it is clear that a soldier even at the time he has no work in front of him, if he has free time, he must get up early in the morning to recite the *Shema* and to say the *Amidah* once he can somehow recognize his normal buddy at a distance of four cubits and he should not wait until the third hour lest he not have the time to do so. After that, regardless of the reason, the time for recitation will have passed. This is true of all other people also. As it is said in the *Shenot Eliyahu*, citing the *Yerushalmi*, that the sages were not speaking about the end of the third hour only in the case of someone who has forgotten to recite the *Shema*. But in principle, it is forbidden to delay until the end of this period.

Het

Furthermore, in Berakhot, with regard to the blessings of the *Psukei deZimra*, that one is to say *Baruch She'emar* and the *Yishtabakh*, it is not appropriate. Only if one says *Psukei D'zimra* in their proper place, that is before the *Yotzer Or*. Therefore, if a soldier is under a time constraint, as for example, at duty in the morning or return from duty before midday and he has still not said his prayers, and he rushes so that he may complete the *Shmonei Esrei* before noon and for that reason he is compelled to begin with the blessings of the *Yotzer Or* then it is proper to complete *Psukei D'zimra* after the *tefillah* if he has time. But in any case, he should not say the *Baruch She'emar* and *Yishtabakh* and so also the blessings *Elohai Neshama*. If he has not said it before the *tefillah*, then he should not say it afterwards because at that time, he is exempt from the blessing, *Mchayei ha-Maytim*. And in the case of the blessings of the Torah, he should not say if he has not said them before the *tefillah* because he has been exempt from the blessing of *Ahavah*

Rabbah which comes before the *Shema*. If he has studied a little afterwards immediately after the *Shema*, even if only one verse, as it is made clear by the modern sages. But in the case, of the other blessings, *Birkot Hashachar*, he has time to say them all day if he does not have the freedom to say them in the morning before the *tefillah*.

Page Yud Zayin -34 – Yud Chet

It can happen that at first this matter is very difficult for him because there are no Jews around or even some Jewish soldiers who mock him. Yet, as the Ramah (Rabbi Moses Isserles) famously writes, he should not be intimidated before any men who might mock him while he is in the service of God, blessed be He. This is especially true in the case of a (Jewish) soldier. If he becomes sensitive about mockery, heaven forbid, he will then remove himself from the entire Torah because certainly, they would mock him when he prays, when he dons *tefillin*, and when he does not partake of forbidden foods with them, and when he washes his hands prior to eating and says grace over the meal, and when he sits in the sukkah, and when he blows the shofar on Rosh Hashanah and the same with the rest of the Torah, the 613 commandments which the creator, blessed be He, has ordained us. And because of this, heaven forbid, he will sever himself from the yoke of the kingdom of heaven and he will annul the entire Torah and become a complete knave in the eyes of God.

But, in this connection, our sages of blessed memory, articulated a basic principle, namely that it is better for one to be called a fool all his days, rather than to be a knave for one hour before God. And how good it is for a human being eternally if he have been subjected to any mockery on account of his performance of the commandments of the Holy One, blessed be He, during his lifetime, because on account of this he will be regarded in the future among the ones who love the Holy One, blessed be He, and especially if he rejoices in all of this, he will accordingly be worthy to show a face as radiant as the light of the sun. As our sages said, those who are mocked, and who do not reciprocate, who accept reproach and do not return it, who act out of love and rejoice in

their sufferings, of them Scripture says, “and he who loves Him (God) will be like the coming out of the sun in its strength.”

And even in this world, he should expect mockery only initially, for ultimately, when people around him become accustomed to this, they will not mock him at all. And the basic principle is that he should not answer them with harsh words, but only placidly and beneficently. And in this way, God will make it possible for him to find grace in the eyes of everyone. So also, this mockery which happens to him at first for several days will only exist among the ordinary folk. But among the noble princes of the kingdom, he will certainly be regarded as a Jewish soldier who keeps the law of his Torah. They recognize that whoever keeps the law of the Torah is therefore not a robber, nor a drunkard, and also not an troublemaker.

I have heard from a reliable source an incident that happened recently when a Jewish soldier, on a day when they (the Christians) had a kind of holiday, ask from his commanding officer for a day’s leave from his duties to take care of an important matter. His commanding officer gave him this leave. It happened that this (Jewish) soldier was an inherently fine person and diligent in his studies. And when the officer gave him this leave, the soldier went to his designated quarters and sat down to study Torah. It happened that his officer came by, and when he found him sitting rapt in study, it struck him as amazing in his eyes, He said to him (the Jewish soldier), “When you asked me for the day off, I indeed imagined, that you would go to celebrate it by rousing in the inns like the rest of your fellow soldiers when they get a break.” The Jewish soldier answered, “Believe me, sir, that today when I am working in the Torah of the God of heavens, is the happiest of all my days and the fulfillment of all the pleasures that I have in life, because

our Torah teaches man wisdom and sets his ways straight so that he should not commit any iniquity to any human being through money by way of thievery, or robbery, or things of that sort. And even in his heart, not to covet the money of someone else, but that he should be happy in his lot with what God has provided for him in all his activities. The Torah also teaches us to love one's neighbor with a strong love and not to harbor enmity against him, and not to shame him publicly. And even if he knows that someone has in some way not acted appropriately, he should at first mention it to him once or twice in private to give him a chance to listen to him.

The Torah also strongly warns us against contentiousness. Also frowned upon in our Torah is the condition of drunkenness and other bad habits. The sum of all of this is to remove a person from evil traits and to bring him to good traits.

The Torah also teaches us to respect the honor of the Czar and his officers and admonishes us to pray at all times for the peace of the kingdom, because if it were not for its peace, each individual would swallow the other one alive. And since, in your goodness, and in your great kindness, you have given me permission to go do what I would like to, how can I abstain from a boon like this.”

The soldier was esteemed in the officer's eyes because of this answer. The officer then told his fellow officers of this amazing experience and the greatness of the traits which he found ingrained in that Jewish soul. Indeed, it is a well-known fact when one comports himself in accordance with the way of the Torah, the Holy One, blessed be He, sends him a thread of loving kindness and gives him grace in the eyes of everyone, just as He gave grace to Joseph and just they [our sages] have said in our Gemara, “If one works

in the Torah by night, the Holy One, blessed be He, stretches out for him a thread of loving kindness during the day.”

In accordance with what we have already written, namely that a person is required to give up his life rather than engage in illicit sexual contact: This does not refer exclusively to sexual intercourse, but even to acts of hugging and kissing, because all sexual contact with a gentile woman or with a menstruant are subsumed under the law that one should allow himself to be killed rather than transgress.

For in the case of all prohibitions regarding idolatry, incest, and murder, even where the prohibition is general and death is not prescribed for punishment, one is obligated to deliver oneself to death, and all of this to avoid the transgression of a negative commandment, namely that you should not draw near to uncover nakedness, because such things lead to the performance of illicit sexual activity.

And because of this, trembling and fear should overcome those who sin with their bodies and dine with menstruants and women forbidden to them in marriage and foreign women. For in so doing they willfully commit a heavy sin like this because the law is that one should allow himself to be killed rather than transgress even if he is under compulsion.

Therefore, a person is also subject to the penalty of excision for this prohibition even if a prostitute is unmarried, as it is expressed in *Yora Daya* section 183, because there is no difference between a single woman and a married woman with regard to the prohibition of a menstruant because whoever has intercourse with a menstruant is liable for excision. It is further explained there that all our single women are under the suspicion of being menstruants.

It is our intention to dilate a little of the gravity of this prohibition in order that a (military) man should not be led astray, heaven forbid, by his evil nature that seduces him in this manner since he is a young man of limited years and subject to the pressure of idolaters who are notorious in their illicit relationships. We have already noted above in chapter 1 the words of the *Sifra*, that the Torah warns a Jewish man, even when he is subjected to idolaters that he should not say that since the majority are idolaters, I also will be like them, or that since the majority are incestuous, then I will be like them and so forth. The passage (in the *Sifra* accordingly) therefore ends, “I am the trustworthy God who will repay you.”

Page 66 - Lamed Dalet

(On the requirement of the observance of the Sabbath)

And additionally it is an absolute obligation for him to consider this matter well at the beginning of a week and to husband all his strength so that he should not defer (the performance of his military) duty (that can be discharged earlier) until the end of the week, lest heaven forbid, something happens and his work remains for the Sabbath day. This is what the Torah has written for us, “Preserve the Sabbath day to hallow it.”

Every time the word *shemirah* is there (in the Torah), it means abstaining from work and the word *shamor* is written because that is the basis for teaching us that it is always necessary to remember the Sabbath day even from the first day in order to keep the ensuing Sabbath free from work .

This is similar to what we learn in *Betza* 15b with regard to the matter of the joy of the Sabbath. The scriptural reading says that it is always necessary to remember the Sabbath, even from the first day onward, because if something good comes to somebody, it should be set aside for the Sabbath. And even though Hillel, who had a different opinion regarding this, saying “Blessed are You, O God, each day,” nevertheless recognizes with regard to all the other desiderata besides food, it is necessary to be prepared if something good happens from the first day on, that he should keep it for the Sabbath. This accords with the statement of our respondents because the word *zachor* is the code word which means that a person should always keep in mind the Sabbath day.

Even this, it is even necessary for every Jewish soldier to know this at the beginning of his training for his specialty, because the government customarily gives him an opportunity to elect whatever job he wishes instead of the infantry. In such a case he

should not choose elect to be a scribe, or a baker, or a medic, etc. and any other task of this nature because certainly in these cases he would regularly (be required to) profane the Sabbath day. Even if remains in the infantry there will from time to time be instances he will occasionally also have to profane the great Sabbath. But this will occur only occasionally and for the most part, any violation by him greater than that of a rabbinic principle is unimaginable. In the case of the other specialties, such as tailor, or cobbler, it happens that one is given a certain amount of work for the entire week, while in the infantry he is not in a position and cannot escape from the provision of the Torah involving hundreds and thousands (of people).

Even though I know that the work of a scribe or a medic is easy and therefore generally attractive, yet anyone who is God fearing will sedulously shun these professions because whoever undertakes such work in principle deliberately brings upon himself the prohibition of working on the Sabbath. Also, be aware, my brother, that as you know it is obvious that for the first year every soldier is obligated to get basic training so that he will be disciplined for duty.. But thereafter, when one has become regimented (into the infantry), there is no compelling reason for him to continue. It is therefore necessary for everyone to trust God who gives strength to the weary to keep him in the infantry man or in with similar duties that he should not pursue duties that involve a desecration of the Sabbath.

Дополнено цензурой. 12 Января 1891 г. Вильна.

11071

В И Л Н А.
Въ типографіи Л. Л. Маля,
на Казанской перекрѣсткѣ, д. III. Вильна № 11071 1891 г.

הודעה

—11071—

הנה ידוע לכל את נזות כבוד אותנו הקיסר רוסיה כי סוד שוכת
א לישב על כבוד הקיסרית החליט לעשות צדקה וחסד עם כל הקרא חזיר
לכל אנשי מדינתו לרכבות עד אין ספור תעלה להחליל בשלום אותנו הקיסרית
ובשלום כל יועציו ושירי מנדול עד קצו ייוחס ח' כולם וזוה נדע בשעת נה
רבים כי כמה פעמים בשאנו חרש בתוך קרל ועדה אני מודים לקיים את אשר
אמר שלמה המלך על (סל' כל) ירא את ה' בני ומך וסודו אני להחליל חסד
בשלום אותנו הקיסרית והעליתו אשר בשלומי שנים לכל החסידים בצל תע
העלית וימותו הדמים ויושבים בשאת השפם מוכר כי הם מחוקים את הכות
האנושי וספרו על כל הענף לכלות המדינה להיות שלום וחשק בכל גבולות
וכלא על מקום יבא בשלום. טקס על ידנו עם ותועמדות לכל דעות אנשי
המדינה וביאור הענין הוא על מה דרכות (י' ל' ובש"ע א"ח (ס' כל) ודעה
את המלך מברך אשר חלק מכונו ובו האשר נתן מכונו ובו כי אני מחכים
לעבוד את ה' ולשמור מצוותו באמונה בן חלק הקבלה מכונו למלך כל וזה
אותנו לשמור פקדיו בתוך המדינה באמונה וזה שאמר ירא את ה' בני ומך ועם
שנים אל תתעב ותו ויד שנים סי ידע. ודא ירא את ה' האל המלך ועם
שנים אל תתעב חרש אל ששנים מצות השם והמלך אל תתעב להיות
בחרתם ח' בי פתאם קיום אדם שיר שנים חרש אותם העובדים על מצות
השם ועל מצות המלך סי ידע כח נחל שבים כי יראת המלך ל' ציוי ח' הא
בראשית במכות י' ובמדרש י' שם השם עליו מלך שנתא איתו עליו
וכן הוא כחל אדע בראות בוכים ק'ב לעולם תהא איתם מלכות עליו שאמר
וידרו כל עבדי אלה אלי וי' והודיעוהו כחל טוב עם כחל המלכות דאיתא
בעין מלכותא דקיסא והמלך מכונו כחל פנע בכבוד המקום עליו המדרש.
ואמר כחל לשון לעולם להיות ל' ולחלל דאם בחרי משכב מתיב אתה במדא
וכח דאמר בב"כ ר' ברוך המלך וכח שכתב דרשניס בחלום מלכים
פ"ב הא כחל כבוד נח נותן במקד ושיטין לו איתם וירא כל כל אדם
וכ' משום דמצות עליו ביראת פניוהו כל שום, וכן מצוים אנחנו האדם את
המלך בארבה שלם ובאמונה להחליל בשלום של מלכות ממבאר באבות פ"ל
וביטויס בענין די מלך לוי מלכא ונחמ. וביוס"א (ג) הביאו צאריים בעד מלך
כבד ועבדו אדע תבו ודח. וכן אני מצוים להחליל בשלום המדינה ל' ברכות
(יטו"ט טו) ודרשו שלום דעיר והחליל בעדא אל ח' כי בשלום ידע לכם שלום.
וכן אני מצוים ל' לקבל עליו כל דעה ודחקו בארבה רבה ונאמנה כח שאמר
חול דינא דמלכותא דינא. ואן מלך הוא לחשקם מעבודת העבא כמחא אשקם
אד סעד. ונקם כי באמת וביזה רבה הוא ל' שוכת לחות עבד מלך תליל
וחא

[illegible][illegible][illegible]

בו יבואי גדל הדגוב למכוע עתים לתורה :

[illegible][illegible][illegible][illegible]

[illegible]

בני ישראל עוד שומרים במחל לאדם בן חסידים ובכל
באים רעים בעוה"ל ובעוה"ל חלוקה טרל עונש ח"י :

[illegible][illegible][illegible]

[illegible][illegible]

[illegible]

Chapter 3

Jewish Military Service Throughout History

British Commonwealth

Bulgaria

China

France

Germany

Great Britain

Greece

Holland

Austro-Hungary

Italy

Poland

Rumania

Czarist Russia

Switzerland

United States

U.S.S.R

Other Countries

Throughout history, Jews have always served in the military. Although it is known that the soldiers were identified as Jewish, whether deliberately or intentionally, *halakhah* was of no consequence and had no bearing on Jewish participation in the military. One did not concern himself with the obligation of Jewish laws until after World War II.

Although there are several examples in history of Jews serving in the military earlier, it was really the beginning of the 16th century with the rise of the middle class, and a desire to live a more secular lifestyle (which in turn, greatly affected the Church) that many Jews joined the military ranks. Because of secularism, which ultimately created national states in which equal citizenship was available to everyone, Jews now had the opportunity to serve in the military. Most Jews were willing to compromise and even abandon their religious practices in order to have the privilege of serving in the military, for there was no religious authority to compel them to hold on to their Jewish observances. A perfect example of this can be seen in the Assembly of Jewish Notables which state their answers on behalf of the Jewish community to Napoleon in 1806 confirming their patriotism to the French and willing to forgo their religious observance in order to acquire equal citizenship.

The following is the introduction to that Declaration.

“The assembly, impressed with a deep sense of gratitude, love, respect, and admiration, for the sacred person of His imperial and Royal Majesty, declares, in the name of all Frenchmen professing the religion of Moses, they are they are fully determined to prove worthy of the favors His Majesty intends for them, by scrupulously conforming to his paternal intentions; they their religion makes it

their duty to consider the law in civil and political matters; they consequently, should their religious code, or its various interpretations, contain civil or political commands, at variance with those of the French code, those commands would, of course, cease to influence and govern them, since they must, above all, acknowledge and obey the laws of the prince. That in consequence to this principle, the Jews have, at all times, considered it their duty to obey the laws of the state, and that, since the revolution, they, like all Frenchmen, have acknowledged no others.”⁶

Until after World War II, one's religious identity was not primary and the Jews preferred equal rights within their nations over their religious faith. Many of these Jews rose to very high ranks, held respectable positions, and were indeed important as a warrior group.

A few earlier examples of Jews serving in the military are found in Sephardic Jewish history within the Iberian Peninsula. In 1085, during the *Reconquista*, when Toledo surrendered to Alfonso VI of Castile in Northern Spain, becoming part of Christian Spain, his chief counselor, Joseph ben Ferrusel, served as his physician and advisor and was instrumental in helping to protect the refugees fleeing Almoravide persecutions.

In 1086 it is reported that 40,000 Jews fought together with King Alfonso VI

⁶ M. Diogene Tama, Transactions of the Partisan Sanhedrin, trans. F.D Kirwan (London, 1807) pp 149-56, 176-95, 201-7.

against the Almoravides at the Battle of Zula in Zallaka, Spain. The Moslem armies also had a large number of Jews serving in them. In fact, there were so many that the battle was arranged so as not to fall on the Sabbath.

In 1248 Alfonso, crown prince of Castile, showed his appreciation for Jewish soldiers' part in the conquering of Seville by granting them land for a "village of the Jews." The Jewish quarter was enlarged and three mosques were given to them for use as synagogues.⁷

Jews served in the national armies of most countries in which they settled. However, in many states they were denied the right to bear arms before the twentieth century because they were considered to be second-class citizens. A major motivation of the Jewish desire to fight in the armed forces of their countries was that they hoped that the acceptance of this obligation would entitle them to civil rights. It was for this very reason that states which denied Jews civil rights often restricted their service in their armies. By the 20th century however, Jews participated fully in modern warfare.

There are numerous examples of Jewish men (and even a few women) serving in the military throughout the world. Among some of the nations which Jews served as soldiers include the British Commonwealth, Bulgaria, China, France, Germany, Great Britain, Greece, Holland, Austro –Hungary, Italy, Poland, Rumania, Czarist Russia, Switzerland, United States, U.S.S.R., and other countries such as India, the Middle East, and North Africa.

⁷ www.americansephardifederation.org

British Commonwealth

Within the British Commonwealth, no discrimination existed against Jews serving in the armed forces. Therefore, Jews served in Canada, Australia, and South Africa and a number of Jewish officers rose to high rank. In World War I Lieutenant General Sir John Monash commanded the Australian army corps in France from June 1918 and was responsible for the breaking of the German lines on August 8 which led to the collapse of German resistance. He was considered the outstanding army commander of World War I and in 1930 was promoted to full general.

Monash was born in Melbourne (1865-1931) into an immigrant family who had been printers of Hebrew books in Krotoszyn. In addition to earning a doctorate in engineering, he graduated in arts and law, and also studied medicine. Monash was never a professional soldier. He volunteered for the Victoria militia in 1884 and was commissioned three years later. In 1900 he won a gold medal for military articles in the *Commonwealth Journal*, and on the outbreak of World War I, he had already risen to the rank of colonel in the military. In April 1915 Monash commanded the Fourth Infantry Brigade at Gallipoli. Although the campaign was unsuccessful, the Australian and New Zealand troops under his command distinguished themselves and "Monash Valley" was named in commemoration of his service. He was sent to France in the following year and in April 1917 participated with the Canadian forces in the capture of Vimy Ridge. In May 1918, as lieutenant general, he was appointed to lead the entire Australian and New Zealand Army Corps on the western front, and, as mentioned above, his troops played a decisive part in breaking the German lines. The Allied offensive brought about the end of World War I and gained Monash a reputation as the most resourceful leader in the British

armies. Monash remained a practicing Jew all his life. He took an active part in Jewish affairs in Australia and was president of the Zionist Federation in 1928.⁸

Major General Sir Charles Rosenthal also achieved renown in the Australian army during World War I, commanding the Australian and New Zealand Army Corps artillery and later the second Australian army division under Monash's command. Another Australian, Private Leonard Keysor was awarded the Victoria Cross during the Gallipoli campaign of 1915.

In World War II 16,000 Jews fought in the Canadian army in Europe and North Africa. 10,000 Jews fought in the South African army in which Major General Alexander Ohrenstein was director-general of the medical services.⁹

Isadore Cyril Cornblat was a Canadian officer. Born in Ontario into an Orthodox family, he studied at the Air Force Staff College and National Defense College. He entered the Royal Canadian Air Force in 1937 and served overseas in World War II. In 1943 he was a member of the Canadian military mission in Washington and in the following year saw action in the Far East. Cornblat served on the postwar planning committee which reconstituted the Canadian Air Force and from 1953 to 1956 was an assistant chief of staff at the NATO headquarters of the Allied Air Forces in Europe. In 1958 he was made comptroller of the R.C.A.F. and a member of the Air Council with the rank of air vice-marshal.¹⁰

⁸ Editorial Staff, Encyclopedia Judaica.

⁹ Vivian David Lipman, Encyclopedia Judaica.

¹⁰ Editorial Staff, Encyclopedia Judaica

Bulgaria

Following Bulgarian independence in 1878 Jews were given equal rights with the rest of the population. Bulgarian Jews fought in the Turkish army when Bulgaria was under Turkish rule, and after independence they joined the Bulgarian army in their thousands. Many Jewish soldiers distinguished themselves during the Serbo-Bulgarian war of 1885 and were described by Prince Alexander of Bulgaria as "true descendants of the ancient Maccabeans." Despite growing anti-Semitism, no restrictions were placed on Jews entering the army or even the officers' training schools. Five thousand Jews fought in the Bulgarian army in the Balkan Wars (1912–13) and several hundreds of them were killed. In World War I a number of Jews reached senior army ranks. Three Jewish colonels were Graziani, Tajar, and Mushanov. Over 700 Jews were killed in the war, among them 28 officers. Between the wars, Jewish soldiers continued to enjoy equal rights in the Bulgarian army until 1940 when Bulgaria allied herself with Nazi Germany. All Jews were removed from the Bulgarian army and organized into labor units to perform manual work. Many of them were later sent to concentration camps but some succeeded in joining the partisans headed by the Fatherland Front. After the war most of Bulgaria's surviving Jews emigrated to Israel and hardly any joined the army of Communist Bulgaria.

China

Morris Abraham Cohen (1887–1970) was a general in the Chinese army. Cohen was born in London and sent by his father to Canada at the age of 16. There he made a living as a ranch-hand, peddler, gambler, and real estate speculator. He ultimately drifted

to Edmonton, Alberta, where he became a ward boss in the Chinese quarter of the city. He lobbied successfully in 1913 in the provincial legislature for the repeal of the head tax clause in the Chinese Immigration Act, an action that earned him the gratitude of the local Chinese population.

In 1908, Cohen had become friendly with Sun Yat-sen, the Chinese nationalist leader, who was then in exile. Cohen joined Sun Yat-sen in China as an aide in 1922, and later was also adviser to his successor, Chiang Kai-shek. Cohen helped organize the Kuomintang Army, which awarded him the rank of general. From 1926 to 1928, he functioned in all but name as the Nationalist war minister. He took part in military campaigns against both Communist rebels and the Japanese, and carried out several secret missions to Europe to purchase arms and organize support for the Nationalist forces. He was probably known as Two-Gun Cohen. In 1941 he was taken prisoner by the Japanese after their capture of Hong Kong and two years later he was repatriated to Canada. After 1949, Cohen visited China several times in an attempt to reconcile the split Chinese factions. He subsequently settled in Manchester, England.¹¹

France

During the Middle Ages Jews were generally excluded from military service except in times of emergency. Their position remained unchanged until 1789 when, following the outbreak of the French Revolution, all Frenchmen, including Jews, were made liable for military service. Many Jews served in Napoleon's armies. Some of them included Brigadier General Marc-Jean-Jerome Wolfe (1776–1848) who commanded the

¹¹ Ibid.

first cavalry brigade of the Grande Armee, and Captain Alexandre Marcquefoy who was awarded the Legion of Honor by Napoleon himself. Approximately 800 Jews were serving under Napoleon in 1808. The outstanding Jewish soldier in Napoleon's army was Henri Rottenbourg, who was made major general in 1814. However, conditions of the Jewish soldiers were made difficult by the refusal of many commanding officers to allow Jews into their ranks.

During the early part of the 19th century an increasing number of Jews fought in the French army and a few achieved considerable prominence; Colonel Martin Cerfbeer, Captain Abraham Levy, Captain M. Vormess, and Captain Beno St Levy who were all awarded the Legion of Honor. No exact details are available as to the number of Jews who fought in the Crimean War (1854–56) but several won awards for gallantry, among them Leopold See and Colonel Abraham Levy. In the Italian war of 1859, See and Levy were again decorated as was Major Adolph Abraham. In the Franco-Prussian War (1870–71), Colonel Jules Moch and Captain Halphen broke through the Prussian lines after the French army had been surrounded at Metz. Jules Moch (1829–1881), French colonel, was one of the first Jews to reach this rank in the French army. Moch fought with distinction in the Crimean War in 1854–55. He was the first Jew to be an instructor and examiner at the Military Academy of Saint-Cyr. Moch, proud of his Jewishness, was one of the founders of the Club Militaire, which after his death, became the moving spirit behind the incitement against Captain Alfred Dreyfus.

During the Third Republic (1870–1940) Jews entered the French army in unprecedented numbers and twenty three rose to the rank of general. The outstanding Jewish officers of the period before World War I were major generals Leopold See, Aim

Lambert, Abraham Levy, and Naquet-Laroque (1843–1921), and brigadier generals Edgar Wolffe (c. 1840–1901), Gabriel Gustave Brisac (1817–c. 1890), Adolphe Hinstin (c. 1820–c. 1890), Bernard Abraham (1824–c. 1900), and Adolphe Aron (c. 1840–c. 1910). On the outbreak of World War I several hundred Jews volunteered for the French army. About 50,000 French Jews, over 20% of the total Jewish population, fought in the French army between 1914 and 1918, and an additional 4,000 Jewish refugees from Eastern Europe volunteered. Twelve French Jews held the rank of general, among them Lieutenant General Valabrègue, major generals Naquet-Laroque and Justin Dennerly (1847–1928), who were recalled from retirement, major generals Camille Baruch Levi (1860–1933) and Jules Heymann (1850–1928) and brigadier generals René Alexandre (1864–1931), Lucien Levi (1859–1932), Paul Emile Grumbach (1861–1931), Gedmon Geismar (1863–1931), and André Weiller (1865–c. 1940). Of 39 French Jewish airmen who fought in World War I, all but four were killed in battle and the total number of French Jews killed in action exceeded 8,000. Several Jews rose to the rank of general after World War I, among them Major General Pierre Boris, Major General Raymond Laroque and Brigadier General Albert Baumann (1869–1945).

Before the French collapse in June 1940 General Boris was made general inspector of the French artillery. Major General Charles Huntzinger and Major General Pierre Brisac were all permitted by the Vichy regime to retain their rank despite the racial laws against Jews. Similarly the Vichy regime gave Samuel Meyer the award of the Legion of Honor for bravery while André Gutman received the award of the Croix de Guerre for bravery in action. In 1944, following the liberation of France, General Boris

was one of several Jewish officers reinstated in the French army, and in 1945 General Dassault commanded the French artillery.¹²

Darius Paul Dassault (originaly Bloch) (1882–1986) was a French army officer born in Paris. Dassault graduated from the Ecole Polytechnique in 1903 and joined the army, serving in artillery units and at the general headquarters of the French army in the Near East during World War I. Between 1919 and 1933, he held posts in military schools, including the Centre des Hautes Etudes Militaires. In 1933 was appointed head of the technical bureau of the French artillery. On the outbreak of World War II, Dassault was put in command of the Fifth Army Corps and following the French surrender in June 1940, he joined the resistance. When France was liberated in 1944, he was raised to the the highest rank in the French army, and appointed governor of Paris. From 1945 until he retired in 1948, Dassault was general inspector of artillery.¹³

Germany

The first German Jews conscripted in modern times were from the left bank of the Rhine occupied by revolutionary and Napoleonic France. German states under French influence followed suit. In 1812 Prussia decreed that Jews were liable to military service and when the War of Liberation broke out a year later, several hundreds volunteered, 82 of them receiving decorations. In 1845 the first Jewish officers were commissioned into the Prussian reserve forces, the *Landwehr*. Until about 1885, Jewish officers, primarily university graduates, were commissioned by co-option, but after this date virtually none

¹² Ibid.

¹³ Mordechai Kaplan, Encyclopedia Judaica.

became officers, despite their exemplary service in the Austro-Prussian (1866) and Franco-Prussian (1870–71) wars because of growing anti-Semitism.

Many thousands of Jews fought in the German army in World War I. About 2,000 Jewish officers were commissioned and 12,000 Jews were killed in battle. Nevertheless, during and after the war, there was an ugly upsurge of accusations that Jews had either not enlisted or shirked front-line service. To combat this propaganda, the Reichsbund juedischer Frontsoldaten, an association of Jewish war veterans, was founded. In 1917 the War Ministry ordered a thorough survey conducted to find the number and proportion of Jews serving in front-line units. The results and the dubious manner in which they had been obtained became the subject of a bitter public controversy. The percentage of Jews was almost equal to that of Christians. The fact that it was not higher is explained by the diminishing birthrate among German Jewry (between 1880 and 1930), which resulted in a lower proportion of those of military age relative to the non-Jewish population. After World War I the small professional army of the Weimar Republic contained few Jews, who were all removed in 1933.¹⁴

Great Britain

In Great Britain, until the repeal of the 1673 Test Act in 1828, professing Jews were disqualified by religious tests from serving as officers in the regular armed forces. English Jews were, however, like their counterparts, the continental Court Jews, prominent as army contractors for pay and supplies in the 18th century. Professing Jews could serve in the ranks and a number served in the navy. Barnett Abraham Simmons

¹⁴ Henry Wasserman, *Encyclopedia Judaica*

(later minister in the Penzance synagogue) and Isaac Vallentine, founder of the *Jewish Chronicle*, were two Jews who served in the navy. When there was threat of invasion, volunteers were enlisted and many professing Jews served, particularly in the London Volunteers. Jews could hold nonregular commissions and Sir Moses Montefiore served as an officer in the Kent Militia.

Sir David Ximenes (1776–1848) was an English army officer. Born in London, into a distinguished Jewish family, Ximenes joined the British army and served in North America. He returned to Britain in 1805 and commanded the 62nd Regiment in Ireland. He later fought in Italy, Spain, and Portugal. Ximenes was knighted in 1832 and retired with the rank of lieutenant general in 1847.

After the repeal of the Test and Corporation Acts, some professing Jews entered the army and became regular officers, particularly in the Indian army. Captain Lionel Gomez da Costa, who died of wounds at Lucknow in 1857, and Ensign Edmund Helbert Ellis, who died in 1851 at the age of 22 were just two of them. The most distinguished soldier in the community was Col. Albert E. W. Goldsmid. An increasing number of professing Jews served in the ranks, including veterans of the Crimean War. Judaism was not, however, recognized in the British army as a separate denomination until 1886. In the South African War (1899–1902), between 3,000 and 4,000 Jews served, with 127 killed in action; many of those serving were South African "colonials" and "outlanders," During World War I the number of Jews in the British army rose to 50,000. Several Anglo-Jewish families provided large numbers of Jewish soldiers. The Rothschild family contributed five officers, the Sassoon family fourteen officers, and five sons of Arthur Sebag-Montefiore held commissions, while 41 descendants of Sir Isidore Spielmann

were said to have served as officers. Five Jewish soldiers won the Victoria Cross: Captain Robert Gee, Lieutenant Frank Alexander De Pass, Sergeant Issy Smith (Shmulevitsch), and Privates J. White and Leonard Keysor. Fifty Jewish soldiers received the Distinguished Service Order. In addition the Jews formed their own unit, the Zion Mule Corps, which fought at Gallipoli and in the Dardanelles in 1915. Later, three Jewish units, the 38th, 39th, and 40th battalions of the Royal Fusiliers participated in the conquest of Palestine in 1918 under General Allenby. The regiments were disbanded after World War I. In World War II over 60,000 Jews fought in the British army. Jewish soldiers included volunteers from Central and Eastern Europe who were not British subjects and Palestinian volunteers who enlisted after the German advance across North Africa threatened the *yishuv* in Palestine. Two Jewish soldiers won the Victoria Cross in World War II: Captain David Hirsch, and naval Lieutenant T. Gould. Several others rose to high military rank. In addition, Irish-born Abraham Briscoe born in 1892, was the first Jew to reach the rank of air-commodore in the Royal Air Force. Jewish soldiers also fought in the British army in Korea and in Egypt.¹⁵

Greece

Greek Jews were subject to continual persecution for many years after Greek independence in 1821. Very few Jews joined the army until the outbreak of the Greco-Turkish War of 1897 in which 200 Jews fought in the Greek army. Abraham Matalon rose to the rank of colonel during World War I and was one of several Jewish soldiers to have been decorated. The total number of Greek Jews fighting in World War I was approximately 500. Many Jews fought in the Greek army against Italy in 1940 and by

¹⁵ Editorial Staff, Encyclopedia Judaica.

1942, when the Germans invaded Greece, over 13,000 Jews had been recruited. Five hundred and thirteen Jews were known to have been killed in action, among them Colonel Mordechai Parisi, who was killed after holding off an entire Italian brigade for nine days. Following the German conquest of Greece, many Jews were deported to concentration camps. A few Greek Jews joined the partisan movement in the mountains of northern Greece and some fought in the Allied armies in North Africa. ¹⁶

Holland

When Holland became an independent state under the House of Orange in the seventeenth century, Jews were allowed to bear arms. In 1808, during Napoleonic rule, Jews were granted equal rights and were therefore obliged to do military service along with the rest of the population. The number of Jews serving in the Dutch army grew steadily during the 19th century and a few Jewish soldiers were singled out for merit, including Michael Kohen (b. 1877). Thousands of Jews fought against the Nazi invasion of Holland in May 1940. ¹⁷

Austro-Hungary

The Austro-Hungarian Empire generally adopted a tolerant policy toward its Jews. In 1782, Joseph II granted civil rights to the Jews and within six years, Jews were declared fit for military service. However, the right was at first restricted to serving in the supply corps in the province of Galicia where most Jews lived. Later, Jews were allowed to serve in all branches of the Hapsburg army. During the Revolutionary and Napoleonic

¹⁶ Ibid.

¹⁷ Ibid.

wars (1792–1813) many Jews served in the Austro-Hungarian army. Some were allowed to become officers. In 1818 Jews were officially accepted as officers even in the conservative cavalry regiments. Nevertheless, several professing Jews rose to the rank of general in the Hapsburg army. Among them was Field Marshal-Lieutenant Joseph Singer who was chief of staff of the Third Army, as well as Major General Alexander von Eis and Field Marshal-Lieutenant Eduard von Schweitzer, both of whom commanded major Austrian army units. The comparatively generous treatment of Jews in the Austro-Hungarian army led many Jews to take up a military career, especially as certain other professions were closed to them. In 1855 there were 157 Jewish officers in the Hapsburg army and by 1893, this number had risen to 2,179 or 8% of all the officers in the Hapsburg army. A number of Jews also became prominent in the navy. Tobias von Oesterreicher was the first Austrian Jew to be promoted to rear admiral and two battleship commanders, Friedrich Pick (1839–1908) and Moritz von Funk (1831–1905). Nearly 300,000 Jews fought in the Austro-Hungarian army during World War I. Among 2,500 officers were three field marshal-lieutenants; Eduard von Schweitzer, Adolph Kornhaber (1856–1925), and Hazai Samu. Nearly 30,000 Jewish soldiers were killed during the four years of war, including 600 Austrian Jewish officers.

Samu Hazai (1851–1942) was a Hungarian army officer and minister. Born in Rimazombat, Hazai graduated from the military academy in Vienna. He taught at the Ludovika Military Academy of Budapest and at the officers' school, of which he later became director. He was made Hungarian minister of defense in 1910 and was later raised to the rank of field marshal-lieutenant. During World War I, Hazai instituted several emergency laws, and was in charge of recruitment for the entire Austro-

Hungarian army. After the collapse of the empire in 1918, he was arrested for a short time by the Hungarian revolutionary government, and afterwards had no further part in public affairs. Hazai converted to Christianity in his youth and had no interest in Jewish matters.¹⁸

Italy

Before the beginning of the 19th century Jews were forbidden to bear arms in any of the Italian states or to be a member of any military organization. The French Revolution, however, led to the demand for equal rights in Italy as elsewhere and the Jews were among the beneficiaries of progressive legislation. Following the conquest of north Italy by Napoleon, Italian Jews even established their own units and fought with the emperor all over Europe. However, during the reactionary period in north Italy following the final defeat of Napoleon in 1815, Jews were debarred from military service. After the decree of March 1848 granting Jews full equality in Piedmont, 235 Jews volunteered for the Piedmontese army in the war against Austria. Enrico Guastalla was among the Italian soldiers who captured Rome in 1849. Among the Piedmontese troops fighting on the allied side in the Crimean War (1854–56) was Colonel Cesare Rovighi, who later became aide-de-camp to King Victor Emanuel I. In the war against Austria, 1859–60, 260 Jews volunteered for the Piedmontese armies and several were awarded medals. There were 11 Jews among the 1,000 led by Garibaldi who captured southern Italy and Sicily from the Bourbons. Enrico Guastalla later became one of Garibaldi's chief lieutenants. In 1870, 236 Jews were among the victorious Italian army which conquered Rome. Jewish

¹⁸ Ibid.

soldiers were subject to no restrictions in the army of united Italy and the percentage of Jewish officers was disproportionately large. Many Jews held the rank of general in the Italian army. They included Lieutenant General Achille Coen (1851–1925), Lieutenant General Emanuele Pugliese, Lieutenant General Roberto Segre, Lieutenant General Angelo Arbib (Arbid), Lieutenant General Angelo Modena, and others.

Other Jewish soldiers rose to high military rank, among them Lieutenant General Giuseppe Ottolenghi who was minister of war from 1902 to 1904. Born in Sabionetta, Lombardy, Ottolenghi studied at the Turin military academy and fought with the Italian army in the war against Austria in 1859. In the following year he was transferred to the general staff, the first Jew to serve in that capacity in Italy. Ottolenghi was promoted to captain in 1863 and lectured on military tactics at the Modena military academy. During the Franco-Prussian War of 1870–71 he was Italian military attache in France and in 1878 was a member of the international commission to fix the boundary between Turkey and Montenegro. In 1902 he became commander of the 4th army corps with the rank of lieutenant general. In the same year he was made minister of war and a member of the senate. Ottolenghi was the recipient of many honors including the silver medal for military valor and the Cross of Savoy. He remained a loyal Jew all his life.

In all, several thousand Jewish officers and men fought in the Italian army in World War I. Other Jewish officers included four major generals: Carlo Archivolti (1873–1944), Armando Bachi, Adolfo Olivetti (1878–1944), and Giacomo Almagia (1876–1947), and 12 brigadier generals. Five Jews became admirals in the Italian navy. Augusto Capon, Franco Nunes (1868–1943), and Guido Segre (1871–1942) were full admirals, and Vice Admiral Paolo Marani (1884–1950) and Rear Admiral Aldo Ascoli

(1882–1956) commanded ships in the invasion of Abyssinia in 1935. In November 1938 a new law was promulgated prohibiting Jews from serving in the armed forces and all the Jewish generals and admirals were forced to retire. During World War II no Jews fought in the army of Benito Mussolini, and some joined the partisan underground movement. Nevertheless two Jews were specially recalled to service because of particular skills: these were Rear Admiral Pontremoli and Major General Umberto Pugliese (1880–1961). The latter was given the task of raising Italian naval vessels sunk by the British at Taranto. After World War II Giorgio Liuzzi who was one of the senior officers retired in 1938 was recalled to active service and was chief of staff of the Italian army from 1956 to 1958 holding the rank of lieutenant general.¹⁹

Another Italian soldier by the name of Ettore Ascoli (1873–1943), born in Ancona, was commissioned in the artillery in 1891. For several years before World War I he was a senior instructor at the Modena Military Academy. Throughout the war he held fighting commands, and was in command of an Allied artillery force which repelled an Austrian attack in June, 1916. He returned to instructional duties after the end of the war, by which time he had reached the rank of colonel and had been decorated several times. In 1924 he was appointed head of the Military Schools Service. Ascoli returned to the artillery in 1926, and in 1933, as a major general, was appointed deputy commander general of the Italian artillery. He was inspector of the military zone of Bologna from 1935 until 1937 when, as a lieutenant general, he was appointed an army corps commander. Shortly before the outbreak of World War II when anti-Jewish legislation was enacted in Italy, Ascoli was compelled to leave the army. He joined the partisans, and was killed fighting against the Germans.

¹⁹ Ibid.

Armando Bachi (1883-1943) was another great Italian soldier. Born in Verona, Bachi went into the artillery where he was commissioned in 1902, and remained in this branch of the Army for most of his career. In World War I, he became deputy chief of staff of the 48th and 30th divisions, and was awarded the Military Cross. After the war he was a lecturer in artillery at the Turin Military Academy and in 1934 was given command of an artillery corps. By 1938 he had become a lieutenant general in command of a motorized army corps, but when the racial laws were enacted in that year he was forced to resign his commission. In 1943 he and his family were arrested and died in Auschwitz.²⁰

Poland

Jewish settlement had begun in Poland by the twelfth century and Jews were conscripted principally to reinforce the local militia and help build fortifications. They were not expected to take any important part in the Polish army until the Tatar attacks on eastern Poland at the end of the 16th century. Jews were recruited into defense units and some were taken prisoner, a fact recorded in the orders of the Russian czar Michael (1613–1645). A Jewish unit was formed and in some cities the general mobilization of Jews was ordered. Jews were also prominent in the wars against Sweden (1655–60). During the eighteenth century, Catholic pressure was brought to bear against Jews fighting in the Polish army and the number of Jews serving fell from over 2,000 to a few hundred. During the uprising in the year following the second partition of Poland of 1793, numbers of Jews joined the revolutionary army along with other Poles and many

²⁰ Mordechai Kaplan, *Encyclopedia Judaica*.

Jews fought in the Polish force which drove the Russians out of Warsaw. Later in 1794, a Jewish cavalry legion was formed under the command of Berek Joselewicz, initially numbering 500 men and later nearly 2,000. The Jewish legion distinguished itself in the defense of Warsaw but was completely wiped out in the Russian massacre in the suburb of Praga after the collapse of the rebellion.

At the turn of the nineteenth century a number of Jews joined Napoleon's army and fought for France in Italy and Eastern Europe. Joselewicz himself commanded a regiment of Polish cavalry, and another Polish Jew, Caspar Junghof, was awarded the Legion of Honor. Similarly, Jews volunteered for the army of the Grand Duchy of Warsaw established by Napoleon in 1807. Among them was Josef Berkowicz, the son of Joselewicz, who fought with other Poles in the French army which invaded Russia in 1812.

After the defeat of Napoleon in 1814, Jews in the area of Poland under czarist rule played an active part in the Polish uprisings of 1830, 1848, and 1863. During World War I, Polish Jews fought in units of both the armies of the Allies and the central powers. A number of Polish Jews in the Russian Austro-Hungarian and French armies were decorated. After the war thousands of Jews fought in the Polish army against Russia, among them Colonel Goldman, Colonel Karaffa-Kreutenkraft, and Colonel Floyar-Reichman. Nevertheless, Polish anti-Semitism permeated the army and all the other organs of state, and although there were never less than 20,000 Jews in the Polish army between the wars, very few Jewish soldiers held high military rank. An outstanding exception was Bernhard Mond who was promoted to colonel in 1924 and on the outbreak of World War II commanded the Fifth Infantry Division with the rank of major general.

The condition of the Jewish soldier improved during the nine-year rule of Joseph Pilsudski (1926–35) but deteriorated after his death. Nevertheless, 400,000 Jews were recruited into the Polish army on the outbreak of World War II and many thousands were killed in battle during the four weeks of fighting. A large number of Jewish soldiers were taken prisoner by the Russians and interned in the Soviet Union. In 1942 an agreement between the U.S.S.R. and the Polish government in exile resulted in the formation of a Polish army in Russia under General Anders. Although Jews were generally excluded from this army, 4,000 fought in General Anders' army in Western Europe while over 5,000 Jews fought in a second Polish army in Russia, many of them holding officers' rank. In addition many more Jews fought in Polish units serving in the armies of other Allied states.

Despite the fact that the Jewish population of Poland was decimated by the Holocaust, a large number of Jews joined the Polish army and after World War II many held senior ranks. Following the Six-Day War in 1967, however, nearly all of them were removed from their posts.²¹

Rumania

Rumania became an independent kingdom in 1881. Restrictions were subsequently placed upon the right of Jews to serve in the armed forces despite the fact that nearly 1,000 Rumanian Jews had fought against the Turks in the Balkan War of 1877. An outstanding Jewish soldier in the Rumanian army was Colonel Maurice Brociner (1855–1942) who was decorated for gallantry in 1877, and in 1882 was made

²¹ Ibid.

secretary to Charles I, king of Rumania. In 1896 a law was enacted prohibiting Jews from volunteering for the Rumanian army, but in 1913, following the involvement of Rumania in the Balkan Wars, the law was rescinded. During World War I, 20,000 Jews fought in the Rumanian army, including several hundred officers. Thirty-seven Jewish officers and 845 men were known to have died. After World War I a large number of Jews served in the Rumanian army, and some rose to the rank of officer. During World War II, however, Nazi pressure led the Rumanian government to remove all the Jews from the Rumanian army. Few Jews served in the army of Communist Rumania after 1945.²²

Czarist Russia

Before 1827 Jews were exempted from military service if they paid a money tax. In that year, however, when Nicholas I came to power, the Jews were conscripted into the Russian army for periods of up to 25 years. Ten Jews for every thousand males were drafted. There was recruitment of boys between the ages of twelve and twenty - five, while those under eighteen were placed in special schools. Jewish soldiers were subjected to persistent pressure to convert and young Jewish children were seized and pressed into military service for twenty five year periods. Jews were excluded from the ranks of officers. Jews sought every opportunity to avoid military service in Russia under these conditions. These conscription laws did not apply to Jews in Polish territories annexed by Russia at the end of the Napoleonic wars. Thousands of Jews fought in the czarist army in the Crimean War (1854–56) and about 500 were killed. In 1864 a monument was erected to the Jewish soldiers who fell in the siege of Sebastopol and one Jewish soldier,

²² Ibid.

Chaim Zaitchikoff, was congratulated by Prince Gortchakoff for his valor. Following the accession of Alexander II the condition of the Jews improved slightly and they were given the right to be promoted to sergeant, while demobilized Jewish soldiers were allowed to live outside the Pale of Settlement. The seizure of Jewish children for military service was abolished and the maximum period of service was reduced to fifteen years. In 1874 a law was enacted introducing universal military service, obliging all Russian citizens to report for military service at the age of twenty one. The effect of the new law was to grant Jews equality with the rest of the population. However, half a century of enforced service in the Russian army had already conditioned them to avoid enlistment wherever possible. Nevertheless, many thousands of Jews fought in the Russo-Turkish War of 1877. They were not allowed to become officers. However, as an exception to the rule, Captain Zvi Hertz Zam was permitted to enter the officers' school in 1874 after eight years of service. However, he was promoted to captain only after more than forty years of service in the Russian army.

Abel-Aaron Itskovitch Ashanski (Oshyanski), (1825–1899) was a Russian soldier, and the only Jew ever to reach the rank of regimental sergeant in the Czarist army. Ashanski was called up for service in an army labor battalion in 1846, but because of his good service and impressive physique he was transferred in 1863 to the czarina's own cavalry regiment. In 1874 he was promoted regimental sergeant and served in this rank until 1896. Ashanski was given a state funeral, and was buried in the old Jewish cemetery of St. Petersburg.

The shortage of doctors in the Czarist army also led to Jews being admitted as surgeon officers. On the outbreak of World War I nearly 400,000 Jews were drafted into

the Russian army. By 1917, the number increased to nearly half a million. Several thousands won awards for bravery on the battlefield.

Chaim Diskin was a Russian military physician of World War II and Hero of the Soviet Union. When his unit was annihilated, Diskin continued firing and singlehanded put several German tanks out of action. He was only 18 years old. No longer fit for active service, Diskin was allowed to study medicine and returned to serve as an army physician attaining the rank of major general. He later became a professor at the Army Medical Academy.²³

Switzerland

Before 1850, Jews were exempted from military service if they paid a tax. In 1866 Jews were granted equal rights, including the obligation of military service. However, even before the law of 1866, certain cantons permitted Jews to bear arms. In 1855, Moritz Meyer from Aargau was made an officer and several other Jews became officers during the latter part of the 19th century. Several hundred Jews were recruited into the Swiss army for border defense during the two world wars and two Jewish soldiers rose to the rank of colonel. They were A. Nordman and his son Jean Nordman.²⁴

United States

Within the United States of America, Jews first did military service early in the colonial period in the form of militia duty. Asser Levy insisted on his right to be allowed to stand guard duty against attack by Indians, and other early members of the community

²³ Ibid.

²⁴ Ibid.

of New Amsterdam demanded the right of helping to defend the settlement. When necessary, the Jews worked in a common effort to repel hostile assaults, earning full admission as citizens of the colony in 1657. Later, in the 1750s, Jews served in the conquest of Canada in which Aaron Hart led a battalion against the French in Canada, and Judah Hays commanded a 16-ton privateer, the *Duke of Cumberland*. During the American War of Independence (1775–83), a considerable number of Jews volunteered for the colonialist armies and several acquired considerable distinction. Among them included Isaac Franks, David Salisbury Franks, Lewis Bush, and Solomon Bush. In this war, some U.S. companies included a considerable number of Jewish soldiers, such as that commanded by Major Benjamin Nones (d. 1826), a French Jew who served under the command of Lafayette and George Washington. During the second war between the United States and Great Britain from 1812 to 1814 there were a small number of Jews in the U.S. army, most of whom were volunteers or members of militia companies. Aaron Levy (d. 1829) became a lieutenant colonel. Two naval officers achieved fame in this war. Captain John Ordronaux (1778–1841) seized nine British prize vessels and later captured a British frigate. Uriah Phillips Levy volunteered for the U.S. navy in 1812 and rose to become commodore nearly half a century later. Levy's ship was captured by the British after sinking 21 merchant vessels and he spent the last 16 months of the war in a British prison. His subsequent career in the face of anti-Semitic opposition opened the way for future generations of U.S. Jewish sailors, among whom Claude C. Bloch rose to become admiral of the U.S. fleet over a century later. In the following decades many Jews held senior posts in the U.S. forces. During the Mexican War (1846–48) the Jews of Baltimore formed a volunteer corps and Jonas Phillips Levy, brother of Uriah Phillips

Levy, was promoted to naval captain. In the American Civil War (1861–65) Jews flocked to the colors of both Union and Confederacy armies. About 6,000 Jews fought on the Union side and a smaller number in the Confederate forces, though the exact figures are in dispute. The Confederate forces contained many prominent Jews, including Judah Phillip Benjamin, the secretary of war, David de Leon (1813–1872), the first surgeon general, and 23 staff officers. The naval captain, Levi Myers Harby, distinguished himself in the defense of Galveston and commanded a fleet of gunboats on the Sabine River. On the Union side seven Jews were awarded the Congressional Medal of Honor: Leopold Karpeles, Benjamin Levy, Abraham Cohn, David Obranski, Henry Heller, Abraham Grunwald, and Isaac Gans. Several Jews rose to the rank of general during the war, including Frederick Knefler (1833–1901), a Hungarian by birth, who volunteered for the Union army on the outbreak of war as a private and was the first Jewish brevet major general. Edward S. Salomon (1836–1913), was made governor of Washington Territory in recognition of his military feats at the battles of Frederickston, Mainfordsville, and Gettysburg. Max Einstein and Phillip J. Joachimson (1817–1890), organized the 59th New York volunteer regiment, were made brigadier generals in the Union army. A few Jews were active in various Latin American armies, including Jacob Baiz who was a brigadier general in the army of Honduras and Sam Dreben known as the "fighting Jew" who fought in Nicaragua in 1910, and was subsequently a colonel in the armies of Honduras and Mexico.

In World War I a quarter of a million Jews fought in the armies of the United States, representing 5% of the total Jewish population of the United States, whereas only 3% of the total U.S. population served in World War I. Over 15,000 Jews were killed or

wounded in the 18-month campaign. Nearly half of the 77th Division, the National Army unit from New York, consisted of Jews and there were approximately 10,000 Jewish officers, including three generals, Milton J. Foreman (1863–1935), Charles Lauchheimer (1859–1920) and Abel Davis (1878–1937). Three Jews also rose to high rank in the navy during World War I: Rear Admiral Joseph Strauss (1861–1948) who commanded the battleship *Nevada* and was later responsible for placing a barrage of mines across the English Channel, Commander Walter F. Jacobs, who commanded a flotilla of minesweepers, and Captain Joseph K. Taussig was responsible for the safe escort of convoys against submarine attacks. Six Jews won the Congressional Medal of Honor: William Sawelson, Benjamin Kaufman (1894–1981), Sydney G. Gumpertz (1879–1953), Charles W. Hoffman, Samuel Sampler, and Philip C. Katz. In addition over 200 Jews were awarded the Distinguished Service Cross.

The Jewish contribution to the U.S. fighting force in World War II was no less impressive. Over half a million U.S. Jews fought in the Allied armies, many of whom crossed the Canadian border early in the war to volunteer for the Canadian army before the United States entered the fighting. More than 50,000 Jewish servicemen were killed or wounded and two Jewish soldiers were awarded the Congressional Medal of Honor, Jews also played an important part in the United States armies in Korea and in Vietnam; 150,000 Jews saw service in the Korean War and nearly 30,000 Jews fought in Vietnam, where Ben Sternberg served as major general.

Edward Ellsberg was a U.S. naval officer born in New Haven, Conn. Ellsberg trained as an engineer and later graduated from the naval academy. During World War I he worked in refitting confiscated German liners in the New York navy yard and

subsequently became an authority on raising sunken vessels. In 1925 he became the first person to be awarded the Distinguished Service Medal in peacetime when he raised the sunken submarine USS *S-51*, off Block Island. Ellsberg organized the rehabilitation of the U.S. naval base in Eritrea following the entry of the United States into World War II. At the end of 1942 he was made principal salvage officer for the Mediterranean. He also took part in the Artificial Harbors project connected with the allied invasion of France in 1944. He was released from active duty shortly before the end of World War II. Ellsberg was the recipient of many awards from the United States and British governments and retired in 1951 with the rank of rear admiral.

Melvin Levin Krulewitch (1895–1978), born in New York City, Krulewitch was a sergeant in the U.S. army in France during World War I. After practicing law for several years he returned to the army. During World War II, Krulewitch was decorated for meritorious service at Iwo Jima. He was a military observer in Israel in 1948 and in Korea in 1950, and retired in 1956 with the rank of major general.

Maurice Rose (1899–1945), a U.S. Army officer. Rose was born in Middletown, Connecticut, served with the A.E.F. during World War I as a second lieutenant. He advanced through the ranks and was promoted to brigadier general in 1943. From 1942 to 1943, as chief of staff of the 2nd Armored Division, he fought through the North African campaign and negotiated the unconditional surrender of the German forces in Tunisia. He was then assigned to command the 3rd Armored Division and was subsequently given the rank of major general. Rose led the 3rd in fighting through France, Belgium, and into

Germany, where he was killed in action. Rose Memorial Hospital in Denver, Colorado, was named for him.²⁵

Hyman George Rickover (1900–1986) was U.S. naval officer and considered the "father" of the atomic-powered submarine. Rickover, born in Russian Poland, was taken by his family to Chicago in 1906, where his father became a tailor. He graduated from the United States Naval Academy in 1922 and was commissioned an ensign in the U.S. Navy.

After sea duty, Rickover studied electrical engineering at the U.S. Naval Academy at Annapolis and Columbia University. He served aboard submarines for three years and then held increasingly important staff and command positions. During World War II Rickover headed the Electrical Section, Bureau of Ships in the Navy Department, and was decorated for his effectiveness in obtaining men and materials to produce electric power and equipment necessary for naval shipbuilding and maintenance. Serving at Oak Ridge in 1946, site of the development of the atomic bomb, and visiting other nuclear research installations, Rickover became convinced of the feasibility of constructing nuclear-powered submarines. Almost alone against considerable opposition, he persuaded the navy to undertake the effort in late 1947. Rickover was soon placed in charge of the project, working with the Atomic Energy Commission which designed and built the reactors. The "Nautilus," first atomic-powered submarine in the world, was launched in January 1954. Despite his success, Rickover would have been forced to retire in 1953 if Congressional intervention had not kept him on duty and ensured his subsequent promotions to rear admiral and vice admiral. He made other contributions to nuclear-power developments, was active in the field of education, and received many

²⁵ Editorial Staff, Encyclopedia Judaica.

decorations. In 1973 Rickover was promoted full admiral. In 1979 he was awarded the Harry S. Truman Good Neighbor Award and in the following year the Medal of Freedom by President Carter.²⁶

Bertram Wallace Korn (1918– 1980) was a U.S. Reform rabbi, author, and historian. Korn, born in Philadelphia, was a leading U.S. Jewish historian, particularly in the area of 19th-century studies. He was ordained by Hebrew Union College in 1943 and served as rabbi in Mobile, Alabama, Mansfield, Ohio (1946–48), and Reform Congregation Keneseth Israel, Philadelphia. From 1944 to 1946 he was a U.S. Navy chaplain. He was promoted to Rear-Admiral, the first Jewish Chaplain to achieve this rank. He retired in 1978. Korn chaired the Central Conference of American Rabbis' Commission on History, and was president of the American Jewish Historical Society.²⁷

Jeremy Boorda (26 November 1939 – 16 May 1996). Admiral Jeremy Boorda was the first enlisted Sailor to rise from the ranks to become Chief of Naval Operations (4 stars). During his tenure, he focused his energies on bettering the quality of life for all Sailors. Jeremy Boorda came to the naval service from South Bend, Indiana. He enlisted in 1956 and obtained a commission in 1962 under the Navy's integration program. Early in his career, he served on board USS *Parrot* and USS *Farragut*. Afterward, he held the positions of Chief of Naval Personnel, Commander in Chief, U.S. Naval Force Europe, and Commander in Chief, Allied Forces Southern Europe. In the latter command, he directed naval forces and helped to enforce United Nations sanctions against military factions in the Balkans. Admiral Boorda helped bring in Navy modernization with the F/A-18E/F Super Hornet aircraft, a new attack submarine, Surface Combatant 21, and the

²⁶ Stanley L. Falk, Encyclopedia Judaica

²⁷ Editorial Staff, Encyclopedia Judaica.

effort to design a new generation of aircraft carriers. He left an unforgettable mark on the Navy through his personal leadership. He managed, with great sensitivity and careful priorities, the largest mandated reduction in naval personnel since World War II. He also enhanced the quality of life, training, and the attraction of the naval service as a career at all levels. Tragically, Admiral Boorda took his own life on 16 May 1996.²⁸



Rear Admiral Harold L. Robinson in the U.S. Navy was Rabbi of Temple Israel of Gary, Ind., (1974-1977), the Cape Cod Synagogue (1977-1998) and of B'nai Zion Congregation in Shreveport, La. (1998-2006). He currently serves as the Director of the Jewish Welfare Board-Jewish Chaplains Council. Commissioned an Ensign in the U.S. Naval Reserve in 1971, Rear Adm. Robinson received a superseding commission as a Chaplain in 1975. His Reserve Component assignments have included Training Officer, Executive Officer and twice Commanding Officer of MAF Rel 101; and Regimental

²⁸ Compiled by the staff of Naval Historical Center.

Chaplain, 25th Marine Regiment 4th Marine Division. He was assigned as Executive Officer and Commanding Officer of SUBLANT Rel 101, and as Force Chaplain, Iceland Defense Force. He served as the Group Chaplain for the 4th Force Service Support Group, USMC, and as Seabee National Chaplain.

In 2000 he was assigned to the Chief of Naval Chaplains Office as Special Assistant for Reserve Manpower. His Flag assignment is: Deputy Chief of Chaplains for Reserve Matters and Director of Religious Programs, Marine Force Reserve. Rear Adm. Robinson also served as the President of the COMNAVRESFOR Policy Board FY 2005, the first staff corps officer so assigned. Rear Adm. Robinson is a Fleet Marine Force Qualified Officer. Overseas active duty assignments have included: Naples, Italy: Holy Lock, Scotland; Keflavik, Iceland; Okinawa, Japan; Guam; Manama, Bahrain; and Djibouti. He has visited our forces in Iraq, Afghanistan, Qatar and Kuwait. Personal awards include the Distinguished Service Medal, the Legion of Merit, the Meritorious Service Medal, the Naval Commendation Medal with two Gold Stars, and the Navy and Marine Corps Overseas Deployment Ribbon.



U.S.S.R.

Following the Revolution of February 1917, Jews were granted equal rights and for the first time were allowed to become army officers in the U.S.S.R. Many were transferred to officers' schools and on graduating received the rank of sub-officer. When

the Bolsheviks seized power in November 1917, many Jewish soldiers fought in the Red Army organized by Leon Trotsky, aided by Skliansky and Jacob Sverdlov. Four divisional commanders were Jews and a few units consisted solely of Jews such as the brigade commanded by Joseph Furman. After the civil war J. B. Goldberg became commander of a reserve army. Among Jews who obtained senior army commands were Grigori Stern, Jan Gamarnik, and Feldman. Most of them were executed during Stalin's purges, with the exception being Stern, who was sent to the Far East (1935), where he routed the Japanese army which had invaded Soviet territory. He later commanded the Soviet Far Eastern Forces with the rank of full general and drove the Japanese from Mongolian territory. Stern's army was assisted by air force units under Yaakov Shmushkevich, appointed commander in chief of the Soviet air force in 1940.

Yaakov Shmushkevich(1902–1941) was born in Lithuania, and fought in the Red Army during the Russian Civil War of 1918–20. In 1922 he was transferred to the air force where he rapidly gained promotion and was sent to Spain in 1936 to reorganize the Republican Air Force. On his return to the Soviet Union in the following year he was made a Hero of the Soviet Union. Subsequently Shmushkevich was made commander of the Soviet air force in the Far East. For his work in establishing the Soviet air defense he was made Hero of the Soviet Union for a second time, one of the few soldiers ever to have been accorded the honor twice. Later he was put in command of the entire Soviet air force with the rank of colonel-general but shortly before the Nazi invasion of the Soviet Union, he was dismissed from his post, tried for treason, and executed. At the 20th Communist Party Congress, Shmushkevich was one of several executed Soviet figures to

be posthumously rehabilitated. In 1967 the Soviet Army published a special work in his memory.²⁹

Lyudmil Kravets was a Soviet heroine of World War II. In the final Russian assault on Berlin in 1945, Kravets was the medical sergeant of her unit. When all the officers were killed, she took command of the unit and captured an enemy position. For her bravery, she was made a Hero of the Soviet Union.³⁰

Lev Zakharovich Mekhlis (1889–1953) was a Soviet army officer. Born in Odessa, Mekhlis was conscripted into the czarist army and during World War I served in an artillery regiment. He joined the Red Army during the civil war of 1918–21, becoming military commissar of a brigade in the Ukraine. For several years Mekhlis was an official of the Communist party central committee and after 1930 worked on the newspaper *Pravda*. He was head of the Red Army's political administration from 1937 to 1940 when he became U.S.S.R. people's commissar of state control. Following the outbreak of World War II, Mekhlis served in the Red Army on several fronts and was promoted to lieutenant-general. His many decorations included the award of four Lenin medals.³¹

Other countries

A small number of Jewish soldiers rose to fame in India, the Middle East, and North Africa. Some of the Jewish soldiers of fortune achieved fame in the Turkish army, in which several thousand Jews fought during the Balkan wars of the 19th century. Fischel-Freind (1885–1928), a Polish Jew, became a colonel in the Turkish army and was later governor of Syria with the title Magyar Mahmud Pasha. An English Jew, Stephen

²⁹ Editorial Staff Encyclopedia, Judaica.

³⁰ Editorial Staff Encyclopedia, Judaica.

³¹ Mordechai Kaplan, Encyclopedia Judaica.

Lakeman (1812–1897) was briefly a Turkish general. David Effendi Molcho, a Jew from Salonika, was made head of the Turkish navy's medical services with the rank of vice admiral. Another Jewish soldier of fortune was Rubino Ventura who held military commands both in Persia and in India during the 19th century. A small number of Indian Jews reached high military rank in the British army, among them Subadar major Haskelji Israel Kolatkar who was killed during the Burmese campaign of 1887 and Subadar major Shalom Moses Penkar of the 15th Bombay Infantry unit. Indian Jews fought in the two world wars and after Indian independence, some became senior officers. North African Jews were prominent in World War II, both in the French and British regular armies and in the French underground. Maurice Guedj (1913–1945), a Tunisian lawyer, joined the Free French air force and won numerous decorations. He was killed in action in January 1945. Leaders of the underground included Jose Abulker, Pierre Smadja, and Raoul and Edgar Bensoussan.

Chater 4

Modern Issues Concerning Jews in the Military

A Word on the Jewish Chaplaincy before WWII

The Work of Aryeh Lev

The Prayer Book

Responsa in War Time

Rabbi Alexander Goode

Rabbi Roland Gittelsohn

A Word on the Jewish Chaplaincy before WWII

Special interest in the Jewish Chaplaincy emerged in 1917 because of the concern to provide religious and morale services to the Jewish personnel in the Armed Forces. Records show that in World War I thousands of Jews participated however spiritual aid for them was sparse. Congress had just passed a law providing for the appointment of chaplains for the different faiths, and the Jewish Welfare Board became the endorsing agency for Jewish Chaplains. This approach was set by the Christian Chaplaincy and stemmed back to Colonial days. George Washington had expressed interest in a chaplaincy ministry in the French-Indian War (1755-1763), when he sought a gentleman of sober, serious and religious deportment who would improve morale and discourage gambling, swearing and drunkenness.³²

Although Jewish Chaplaincy truly emerged after 1917, there is evidence that there were Jewish chaplains long before that. At the outbreak of the Civil War, Jews could not serve as chaplains in the U.S. armed forces. Although some 6,500 Jews had enlisted in the Union Army during the Civil War, begun in 1861, there were no rabbis in the army. When several rabbis asked to enlist they were refused on the grounds that only Christians could serve as clergy or chaplains. The army took the attitude that Christianity is the official religion of the United States. This led Representative Clement L. Vallandigham (not a Jew) of Ohio to protest this to President Abraham Lincoln on the grounds that the exclusion of rabbis from the chaplaincy was "blatantly unconstitutional."

This matter came to the attention of President Lincoln because the Pennsylvania based "Cameron's Dragoons" had elected Rabbi Arnold Fischel from New York as their

³² <http://www.traditiononline.org/news/article.cfm?id=104120>

chaplain. However, the Secretary of War, Simon Cameron, for whom the regiment was named, rejected the application for Fischel to have chaplain status because he was not a Christian. The YMCA and other Christian organizations lobbied Congress to uphold the exclusion of rabbis from the armed services. Thereupon Rabbi Fischel traveled to Washington and met with Lincoln at the White House. Lincoln then asked Congress to allow the entrance of rabbis into the army. The bill passed on July 17, 1862. This led to the appointment by Lincoln of three rabbis, Jacob Frankel of Philadelphia, Berhard Gotthelf of Louisville and Ferdinand Sarner of Rochester, to be army chaplains.

There were only 25,000 Jews in the Confederate States during the Civil War as compared to 120,000 in the north. About 2,000 Jews fought in the southern army. They had no Jewish chaplains. However, the Confederate Secretary of State was Judah Benjamin, the army quartermaster was Abraham Myers, and the surgeon general of the Confederacy was David de Leon.

Anti-Jewish conduct was almost unknown in the South in the 19th century. Unlike the North, the South was friendly to Jews because then as now the fundamentalist form of Christianity considered Jews "the chosen people."

Since then rabbis have served in all our wars. The most dramatic story to come out of World War II concerning a Jewish chaplain is the fate of Rabbi Alexander Goode whose story is explained in further detail below.

Today, the Jewish clergy are fully accepted in all U.S. armed services. This includes Rear Admiral Harold Robinson, who rose from the rank of Ensign to become commanding officer of several chaplains' services, including Regimental Chaplain of the

25th Marine Regiment. In 2003 he achieved flag rank, meaning he became an admiral. More information can be found on Rabbi Robinson in chapter three.³³

The work of Aryeh Lev

Born in Jerusalem on June 6, 1912, Aryeh Lev arrived in the United States in 1917, received his B.S. Degree from Columbia University and was ordained by the Jewish Institute of Religion in 1937. During World War II he was a chaplain in the Army Chief of Chaplains Office and served as liaison between that Office and the Jewish Welfare Board. In 1945 he became director of the Commission on Jewish Chaplaincy where he served until his death on May 2, 1975.³⁴ Chaplain Aryeh Lev also had a large role in preparing much of the Jewish Prayer material that became available to the Jewish soldiers serving in the military which can be found in more detail below.

³³ Gerhard Falk, The Jewish Chaplain
<http://www.internationalwallofprayer.org/A-209-The-Jewish-Chaplain.html>

³⁴ Eugene J. Sack on Aryeh Lev Central Conference of American Rabbis, Yearbook Volume LXXXV Cincinnati Ohio 1975 (New York: CCAR, 1976) pg 108.

The Prayer Book

Over the years, the Jewish Welfare Board has managed to publish a few different prayer book sources in order to minister to the Jews serving in the Armed Forces. These prayer sources include resources to use that include prayers for the sick, a military funeral service, a memorial service for those fallen in battle in meditations, as well as weekday and Sabbath prayers.

The new edition of the *Prayer Book for Jewish Personnel in the Armed Forces of the United States* was prepared by the Commission on Jewish Chaplaincy of the Jewish Welfare Board at the suggestion of the Religious Education Advisory Group-Jewish, of the Armed Forces Chaplain Board.

Since the last issue of the prayer book in 1958, the major American Jewish religious movements had published new prayer books which in addition to the regular worship services, included interpretive readings and innovative suggestions. The Religious Education Advisory Group – Jewish, of the Armed Forces of the Chaplain Board turned to the Commission on Jewish Chaplaincy of the Jewish Welfare Board to create a prayer book for Jewish personnel that would reflect the needs of the new generation of Americans. The Commission then formed an editorial committee which produced a book of common worship, readings, study, and inspiration for those serving in the Armed Forces and in veteran hospitals.

While the newer version of this prayer book, published in 1984, had retained much of the Hebrew in its original text, it is to be noted that the new English version was not meant to be a literal translation, but rather a modern version designed to reflect a

more contemporary language. It was intended to only be used by the Jewish personnel in the Armed Forces of the United States of America and in veteran hospitals.

It is quite an accomplishment to note that all of the Jewish movements, Orthodox (the Rabbinical Council of America), Conservative (the Rabbinical Assembly) and Reform (Central Conference of American Rabbis) were all able to put their differences aside and come together to create a unified prayer book for Jewish personnel serving in the Armed Forces of the United States of America.³⁵

³⁵ Commission on Jewish Chaplaincy of JWB. Prayer Book for Jewish Personnel in the Armed Forces of the United States, (United States, Commission on Jewish Chaplaincy of JWB, 1984) xi-xv.
Jewish Welfare Board, Ministering to the Jews in the Armed Forces of the United States, (New York, Jewish Welfare Board, 1942) iii.

Responsa in War Time

During the war years, the Division of Religious Activities of the published various brochures that dealt with special chaplaincy activities. The Orthodox, Conservative, and Reform rabbis came together to write *Responsa in War Time* in order to address many of the practical problems that the Jewish chaplain and all military Jews confront when serving in the military. The various rabbis were able to come to an agreement on religious practices on all subjects in Jewish life. They were able to acknowledge respect for the view of others and come to a common decision that would be helpful to soldiers in each particular circumstance of war. The American rabbinate was able to create a set of responsa based on *halakha*, but the interpretation was broad enough to enable the word of God to be truly “living” and livable under war conditions.³⁶

When the Committee of Army and Navy Religious Activities (CARNA) was recreated on January 14, 1942, the Committee of Responsa was one of its first creation. The questions that were asked to the Committee for Responsa came from a variety of sources. Questions came from the government itself on issues concerning Jewish law, from soldiers and sailors in service asked via their chaplains, from rabbis in civilian life in relation to their congregants children in the service. Sometimes questions came from people in civilian life concerning their personal relationships to other people in the service.

The Committee was often confronted by many difficulties. Whereas a civilian rabbi might delay making a decision on something that involves deep and radical interpretation of law because of the need for much study and consultation, the Committee

³⁶ National Jewish Welfare Board, *Responsa in War Time* (New York: Commission on Jewish Chaplaincy National Jewish Welfare Board, 1947), Preface

did not have the privilege of delaying their response. If there was a question from the government or from chaplains, a quick and definite answer was needed. At times the Committee's decision will seem to have insufficient grounds to cover the entire literature. This is because they did have the leisure for completeness or certainty. The answers needed to be practical and they did not have the joy of merely studying for the sake of *halakha*.

Another difficulty the Committee was confronted with was its very composition. Since it consisted of representatives from Orthodox, Conservative, and Reform Jewry, each representative held a different attitude toward Jewish law. However, in practice very little difficulty was experienced in making decisions. The decisions were based on classic Jewish law. Because of the constraints of wartime, the more lenient authorities were generally chosen, and even when the liberal decision was contrary to the practice of Reform Jews, their point of view was specifically provided for. The Orthodox member as well would sometimes record his disagreement. On this basis it was possible to come to a decision on almost every question that was presented.

In order for it to be possible to give practical directives, the Committee limited themselves very early on as to the type of questions with which they dealt with. They tried to stay with questions that primarily were concerned with a man or woman's service in the armed forces. For example, in matters concerning kosher and *trefah* food, the decisions were confined only to the part of the question which dealt with life in the armed forces and avoided general decisions that might be applied to civilian life. They also restricted themselves to matters that dealt with the war emergency. Therefore, not only was the subject matter limited, but it was also understood that on these matters the

decisions made by the Committee were applied only to the period of emergency. For this reason, CARNA decided to limit the publication of these responsa so that people would not think that a new serious of religious standards had been set up for Judaism in general. The existence of these responsa shows the eagerness of our government to be meticulously careful of the religious rights of citizens. It also shows the desire of the chaplains and of the soldiers to maintain the observances of their faith under the strain and danger of war.³⁷

Among the responsa that were presented, a variety of subjects were raised. Some of the subjects included involve birth life cycle events, marriage, divorce, conversions, ritual observances including Shabbat, and *Kashrut*, as well as death and burial observances. Below are the descriptions for several of the responsum that were raised and answered.

³⁷ Ibid., i-v.

Minyan for Brit Milah³⁸

Question: Should Brit be postponed to evening or the next day when it would be possible to have a minyan?

Answer: The timing of the Brit is more important and must be performed even if it is not possible to obtain a minyan (*Yore Deah* 265,6)

Wearing a Cross³⁹

Question: May a Jewish nurse wear a cross with her dog tags so that if she becomes stranded somewhere in the South Pacific, the natives will recognize it as a symbol of friendship?

Answer: In times of persecution, Jews are permitted to wear non-Jewish clothes. They are also permitted to conceal their Jewish Identity by wearing dog-tags with out the letter “H” so that if they were captured by the Nazis they would not be mistreated. However, concealing Jewish identity cannot be permitted in the South Seas because there is no question of persecution of Jews. But since this is not an issue of concealing Jewish identity, the law in *Shulkhan Aruch, Yore Deah*, 141,1 Joseph Karo is clear. If statutes are merely for decoration and not to be bowed down to as idol worship, they are permitted. Therefore, a cross that is worn around the neck simply as a sign of friendship is not forbidden. However, while it is not forbidden by law, it is clearly against Jewish

³⁸ Ibid, 3.

³⁹ Ibid, 5-6

sentiment and the Committee refrains from advising her on this matter. The Jewish nurse must judge for herself how much help the symbol would give her.

Dietary Laws – Violation⁴⁰

Question: How far are men justified in violating the dietary laws under conditions of camp life?

Answer: They should try their best to observe it as much as possible. The chaplain should inform the soldiers that kosher canned meats are available at the Post Exchanges and through the Jewish Welfare Board. Soldiers may also receive packages of kosher food from friends and family. If they cannot, they are not committing a sin because they are under government military law.

If a soldier desires to keep kosher, then he should follow Jewish practice as much as possible and he can try to make a distinction between various degrees of food that is forbidden. He can try to abstain from eating inherently forbidden foods such as pork and shellfish.

Advancing the Hour of Friday Evening Services⁴¹

Question: May Friday evening service be held before dark because of climate conditions and the geographic location of the camp?

⁴⁰ Ibid., 7.

⁴¹ Ibid., 13.

Answer: Under War conditions it is permitted to have the Friday evening service within an hour or two close to sunset. It is a positive commandment to add “from the profane to the holy,” when beginning the Friday evening service a little early. While saying this commandment does not apply to the early week day evening services, there is also leniency with regard to beginning them early as well.

Religious Services and Christmas Decorations⁴²

Question: Should religious services be held in a chapel where there is a Christmas Tree?

Answer: The Committee suggests that the chaplain screen off the tree during Jewish services. If a recreation hall available during the Christmas season, the Jewish chaplain can inform the Christian chaplain that it is unnecessary to remove all of the elaborate decorations and the Jewish services can be held in another location.

Head Covering and the National Anthem⁴³

Question: Should Orthodox men uncover their heads during the National Anthem and “America” at religious services?

Answer: It is stated in the section on Military Discipline and Courtesy in the Soldiers’ Handbook page 12, paragraph K, that whenever the national anthem is played the hat is worn by men in uniform, but removed by men in civilian clothes. Therefore, even when

⁴² Ibid., 16.

⁴³ Ibid., 17.

the service is Reform, the heads would have to be covered for playing or singing of the National Anthem.

Use of the Sefer Torah ⁴⁴

Question: May the Torah be read on Friday night?

Answer: There is a partial precedent for the reading of the Torah on the evening of Simhat Torah and while the Union Prayerbook has provided the option for a voluntary reading of the Torah on Friday evening, Orthodox and Conservative would not consider this a precedent. However, if it is not possible to read the Torah in the armed forces at any other time during the week when it is permitted to do so (Monday and Thursday mornings, Saturday morning and afternoon, New Moons, fast days and on the festivals), then one may read Torah Friday night. Whether the Torah is read or not, it should still be kept in the Ark for its symbolic significance at every service.

Marriage ⁴⁵

Question: May a Christian chaplain or a Justice of the Peace officiate at the wedding of a Jewish couple when no Jewish chaplain or civilian rabbi is available?

Answer: Since a Jewish marriage is considered a sacrament, a civil or non-denominational wedding does not satisfy religious or Jewish requirements. Therefore, it is not Jewish and not admissible for a civil ceremony to be performed by a Justice of the

⁴⁴ Ibid., 18-19.

⁴⁵ Ibid., 21.

Peace or a non-Jewish chaplain. If there is not a Jewish chaplain, rabbi, or available Jewish communal person authorized by the state to perform marriages, one must be brought in even if it is from a distance or inconvenient. If this is not possible, the Jewish Welfare Board will try to arrange for these two Jews to live together in a relationship which is not sanctioned as marriage under Jewish tradition.

Conversions⁴⁶

Question: Should a chaplain accept candidates for conversion?

Answer: In general, the consensus of the Committee recommends that chaplains refrain from participating in conversions and should refer the applicant to a rabbi in a civilian community nearby. Only under extreme circumstances, when there is no civilian rabbi available should the chaplain participate in the conversion and follow the conversion methods which are laid down by the group of which he is a member also giving consideration to the Jewish background of the person getting married. This opinion represents two of the three members of the Responsa Committee.

Divorce⁴⁷

Question: A woman was divorced in civil courts a year earlier, but has only recently obtained a “get.” She wants to remarry immediately, for the soldier she is marrying is about to go overseas. However, the three month waiting period between her Jewish

⁴⁶ Ibid., 22-23.

⁴⁷ Ibid., 32-33.

divorce and her intended re-marriage has not yet elapsed. Should the waiting period be waived under war-time conditions?

Answer: The purpose of the law of waiting three months between a divorce and marriage to another man is to establish paternity of a child so that there should be no doubt as to who the father is. If this is the only question/concern, then inasmuch as she has been civilly divorced and separated from her husband for longer than three months, the purpose of the law is fulfilled. In this case, Rabbi Judah states that she may be married at once. Joseph Karo (*Shulkhan Arukh*) also states that the three months may be counted from the day the divorce was written even if the “get” is not received for some time. But since they have not lived together after the divorce was written, she may be married at once. However, Rabbi Meir forbids this marriage in order to prevent carelessness even if the woman has not been physically intimate with her previous husband.

With regard to guiding chaplains with such marriages, the decision may be based on the faith background of the family. For example, if the family is from a Reform synagogue where a civil divorce is accepted, they may be married. If however, the family belongs to a stricter observance which does not accept the validity of civil divorce, then the rabbinical court must be followed, including the three month waiting period for all women, no matter what the circumstances may be.

Kaddish⁴⁸

⁴⁸ Ibid., 51.

Question: May a soldier say *Kaddish* at the time of a *Yahrzeit* when he is alone at an outpost duty for a considerable amount of time?

Answer: If it is preferable to say *Kaddish* with a congregation, but just as in the case of *tefillah*, it is permitted to be said alone silently.

Yahrzeit – Which day is to be observed when date of death is unknown⁴⁹

Question: What date is to be observed as *Yahrzeit* when a man is declared officially dead but no trace of remains is found and there is no accurate date of when he was missing because he was lost during a battle for several days?

Answer: The date of when the tidings are received is the important date. When the report of death comes, the mourning begins from the time the report came. The mourner then counts thirty days from the day he gets the report. Since it is clear that the day of receiving the report has the status of the day of the actual burial, that is the only date he has for the *Yahrzeit* in following years.

Burial on Sabbath⁵⁰

Question: Is burial on the Sabbath ever permissible? Is it permissible during the War Emergency period?

⁴⁹ Ibid., 55-56.

⁵⁰ Ibid., 57-58.

A plane crash happened killing several military men including one Jewish soldier. The post authorities made all arrangements for the funeral which occurred on the Sabbath. The Jewish chaplain was asked to participate but explained to authorities that Jews do not bury on the Sabbath. But the bodies were in such bad condition that it would have been better to bury them at once. How can burial on the Sabbath be permitted on the battlefield?

Answer:

It is generally forbidden to bury on the Sabbath, but this applies to normal circumstances. However, even in civilian life in the case of an epidemic, if the government orders the immediate burial of someone, it may take place even on the Sabbath. In wartime, a military command sets aside the laws of Sabbath and it is not considered to be profaning the Sabbath.

On the battlefield where a burial detail is specifically ordered to bury the dead, the Jewish chaplain and whatever Jewish soldiers receive the order must bury the dead even on the Sabbath.

In these exceptional cases, the chaplain should consult the officer in charge to find out whether the burial can be postponed to another day, but if not, then the burial may take place on the Sabbath without a question.

Autopsy⁵¹

Question: Should close relatives of soldiers or ex-soldiers who have died in a veteran's hospital consent to the request of the hospital authorities to permit autopsy?

Answer: Autopsy is often prohibited because it delays the burial of the dead and it is forbidden to deface or shame the dead. However, there is a general principle that saving a life overrides all the prohibitions in the law with the exception of idolatry, adultery, or murder. While the Talmud does not deal with the question of autopsy for the benefits of medical science which may save the lives of others, later authorities do. The Committee of the CANRA recognizes that since many patients in veterans' hospitals have the same sickness, an autopsy would be permitted because it may help save a life. (Ezekiel Landau – *Yore Deah* #210 and Moses Sofer – *Yore Deah* #336).

The Chief Rabbinate of Palestine also informs us that autopsy is permitted under the grounds that the physicians are unable to state the cause of death without it, or in the case of hereditary diseases where it is necessary to guide the families as to methods of protective caution.

Burial in National Cemeteries⁵²

Question: Does Jewish law permit the burial of the body of Jews in a national cemetery and may a rabbi officiate at such a burial?

⁵¹ Ibid., 72-74.

⁵² Ibid., 83-84.

Answer: The soldiers and sailors whose bodies are now being brought back from overseas were buried where they fell. The graves of Christians and Jews were side by side. Crosses and Stars of David were next to each other and there was clearly evidence of comradeship in duty and fellowship in death. If there were to be no Stars of David in national cemetery it might lead to the assumption that Jews do/did not serve.

While universal and longstanding custom requires that a Jew be buried in a Jewish cemetery, there is no definite law in the Talmud or other great codes requiring a community to establish a Jewish cemetery or requiring that a Jew be buried only in a Jewish cemetery.

The only clear requirements of the law is that a man be buried in his own property (*Baba Batra* 112a) and that a wicked man may be not buried next to a righteous man (*Sanhedrin* 47a). In order to ensure this, about a century ago, one rabbi made an attempt on the basis of these two laws to establish a requirement to have Jewish cemeteries (Eleazar Spiro of Muncacz in *Minhat Eleazar* II, 41).

Therefore, it is against the general custom for a Jew to be buried outside of a Jewish cemetery, but it is not forbidden. Hence, it is suggested that each family ask its own rabbi for his decision and the rabbi will then decide also whether to officiate.

Rabbi Alexander D. Goode

Alexander Goode was the son of a rabbi in Washington, D.C. Alexander D. Goode was born in Brooklyn, New York on May 10, 1911. He entered the University of Cincinnati and graduated in 1934 with an A.B. degree. He then went on to Hebrew Union College and was ordained in 1937. He later received his Ph.D. from John Hopkins University in 1940.

Alex married his childhood sweetheart on October 7, 1935. As an ordained Rabbi, his first assignment was a synagogue in Marion, Indiana in 1936. On July 16, 1937 he was transferred to the Beth Israel synagogue in York, Pennsylvania until mid 1942.

In January 1941 he applied as a chaplain with the U.S. Navy but was not accepted at that time. Right after Pearl Harbor, he tried again, but with the Army. He received an appointment on July 21, 1942. Chaplain Goode went on active duty on August 9, 1942 and was selected for the Chaplains School at Harvard. He had courses in map reading, first aid, law, and chemical warfare. Chaplain Goode was then assigned to the 333rd Airbase Squadron in Goldsboro, North Carolina. In October 1942, he was transferred to Camp Myles Standish in Taunton, Massachusetts and Alex was reunited with Chaplains Fox, Poling and Washington, who were classmates at Harvard.

On February 3, 1943, the S.S. Dorchester, carrying 900 American servicemen headed for combat. While was working its way through the icy churning waters off Greenland, it was struck by a U-boat torpedo. It was forced to leave the convoy and it did not take long before a second torpedo scored a direct hit killing 100 men in the hull of the ship.

Throughout the ship there was confusion, terror and chaos as men scrambled about to get their life jackets and in many cases to get dressed. Trying to calm the men were four chaplains: Rabbi Alexander D. Goode; John P. Washington, a Roman Catholic priest; George L. Fox, a Methodist minister; and Clark P. Poling, a minister of the Reformed Church of America.

The extra life jackets were handed out but there were still many servicemen without them. Standing in front of the four chaplains were four men without life jackets. They were cold and afraid. The four chaplains took off their jackets and gave them to these men. The ship was quickly sliding into the sea. Many lifeboats were filled with men in the water and others were being launched. The four chaplains went about the deck helping the men get into lifeboats and comforting those that were terrified. Finally, all the lifeboats were on the waters filled with the remaining troops.

The last sight that these survivors saw of the *Dorchester* was the four chaplains clinging to each other on the slanting deck as it slowly went into the sea. Their arms were linked together with their heads bowed as they prayed to their God. Benjamin Epstein, a survivor of New York, recalls that fateful night. He personally knew each of the chaplains and he will never forget watching them go down with the ship. Of the 900 men aboard, only 229 were saved.

On February 13, 1951, President Harry S. Truman dedicated the Chapel of the Four Chaplains on the corner of Broad and Berks streets in Philadelphia, Pennsylvania. This inter-faith chapel is a memorial, for these four chaplains who gave their lives to save others. There are three altars: Catholic, Jewish, and Protestant. Above the entrance burns an eternal light which calls all men to the unity these four chaplains heroically

demonstrated. The Chapel of the Four Chaplains has been relocated to Valley Forge, Pennsylvania. Chaplain Goode was posthumously awarded the Purple Heart and Distinguished Service Cross.

Rabbi Goode was one of 309 rabbis to be commissioned in World War II. He was one of many to give his life.⁵³



⁵³ Seymour Brody, *Jewish Heroes and Heroines of America*, 1996.
<http://www.fau.edu/library/br099.htm>.
<http://www.freerepublic.com/focus/f-news/1516530/posts?page=128>

Rabbi Roland Gittelsohn

Rabbi Roland B. Gittelsohn, a scholar on religious and governmental issues who was a Marine Corps chaplain during the battle of Iwo Jima, died at Beth Israel Hospital in Boston at age 85.

Rabbi Gittelsohn was rabbi emeritus at Temple Israel in Boston, where he served from 1953 to 1977. From 1936 to 1953, he served the Central Synagogue of Nassau County in Rockville Centre, L.I.

He was awarded three combat ribbons for his service with the Fifth Marine Division on Iwo Jima. His sermon at the dedication of the division's cemetery, titled "The Purest Democracy," attracted wide attention and was read by many radio and television announcers during and after the war.

In February, Rabbi Gittelsohn gave the benediction at the Iwo Jima Memorial in Arlington, Va., at a ceremony marking the 50th anniversary of the landing. Rabbi Gittelsohn was appointed by President Harry S. Truman to a committee studying civil rights issues. Later, he studied and lectured on United States involvement in Vietnam, and on euthanasia, Israeli politics and family relationships. He wrote numerous articles and books on civic and religious issues.

He was president of the Massachusetts Board of Rabbis from 1958 to 1960; president of the Central Conference of American Rabbis from 1969 to 1971, and president of the Association of Reform Zionists of America from 1977 to 1984.

He graduated Phi Beta Kappa from Western Reserve University in Cleveland in 1931 and studied at Columbia University. He was ordained from Hebrew Union College in Cincinnati in 1936.⁵⁴

The fight for Iwo Jima in 1945 was one of the bloodiest of World War II. A tiny island in the Pacific, Iwo Jima held a five-week, nonstop battle between 70,000 American Marines and an unknown number of Japanese defenders. The courage and heroism of the American forces, highlighted by the raising of the American flag over Mt. Suribachi, is memorialized in the Marine Corps monument in Washington, D.C. However, less well-remembered is that the battle that was the cause a eulogy by a Marine Corps rabbi that has become an American classic.

Rabbi Roland B. Gittelsohn (1910-95), assigned to the Fifth Marine Division, was the first Jewish chaplain the Marine Corps ever appointed. The American invading force at Iwo Jima included approximately 1,500 Jewish Marines. Rabbi Gittelsohn ministered to Marines of all faiths in the combat zone. He shared the fear, horror and despair of the fighting men, each of whom knew that each day might be his last. Roland Gittelsohn's efforts to comfort the wounded and encourage the fearful won him three service ribbons.

When the fighting was over, Division Chaplain Warren Cuthriell, a Protestant minister, asked Rabbi Gittelsohn to deliver the memorial sermon at a combined religious service dedicating the Marine Cemetery. Cuthriell wanted all the fallen Marines (black and white, Protestant, Catholic and Jewish) honored in a single, nondenominational ceremony. Unfortunately, racial and religious prejudice was strong in the Marine Corps, as it was then throughout America. According to Rabbi Gittelsohn's autobiography, the

⁵⁴ David Stout, New York Times, December 15, 1995.

majority of Christian chaplains objected to having a rabbi preach over predominantly Christian graves. The Catholic chaplains, in keeping with church doctrine also opposed any form of joint religious service.

Cuthriell refused to alter his plans but Gittelsohn, wanted to save his friend further embarrassment and decided it was best not to deliver his sermon. Instead, three separate religious services were held. At the Jewish service, to a congregation of around seventy attended, Rabbi Gittelsohn delivered the powerful eulogy he originally wrote for the combined service:

Three Protestant chaplains were so angry by the prejudice that they boycotted their own service to attend Gittelsohn's. One of them borrowed the manuscript and, unknown to Gittelsohn, circulated several thousand copies to his regiment. Some Marines enclosed the copies in letters to their families. An avalanche of coverage resulted. *Time* magazine published excerpts, which wire services spread even further. The entire sermon was inserted into the Congressional Record. The Army released the eulogy for short-wave broadcast to American troops throughout the world and radio commentator Robert St. John read it on his program and on many succeeding Memorial Days.

In 1995, in his last major public appearance before his death, Gittelsohn reread a portion of the eulogy at the 50th commemoration ceremony at the Iwo Jima statue in Washington, D.C. In his autobiography, Gittelsohn reflected, "I have often wondered whether anyone would ever have heard of my Iwo Jima sermon had it not been for the bigoted attempt to ban it." ⁵⁵

⁵⁵ Sheldon Young, *American Jewish Historical Society*.
<http://www.jewishvirtuallibrary.org/jsource/US-Israel/sermon.html>

**Eulogy by Lt Roland B. Gittelsohn, ChC, USNR at the dedication
of the 5th Marine Division Cemetery, Iwo Jima–March 1945**

“This is perhaps the grimmest, and surely the holiest task we have faced since D-Day. Here before us lie the bodies of comrades and friends. Men who until yesterday or last week laughed with us, joked with us, trained with us. Men who were on the same ships with us, and went over the sides with us as we prepared to hit the beaches of this island. Men who fought with us and feared with us.

Somewhere in this plot of ground there may lie the man who could have discovered the cure for cancer. Under one of these Christian crosses, or beneath a Jewish Star of David, there may rest now a man who was destined to be a great prophet... to find the way, perhaps, for all to live in plenty, with poverty and hardship for none. Now they lie here silently in this sacred soil, and we gather to consecrate this earth in their memory. It is not easy to do so. Some of us have buried our closest friends here. We saw these men killed before our very eyes. Any one of us might have died in their places. Indeed, some of us are alive and breathing at this very moment only because men who lie here beneath us had the courage and strength to give their lives for ours. To speak in memory of such men as these is not easy. Of them, too, can it be said with utter truth: “The world will little note nor long remember what we say here. It can never forget what they did here.” No, our poor power of speech can add nothing to what these men and the other dead of our division who are not here have already done. All that we can even hope to do is follow their example. To show the same selfless courage in peace that they did in war.

To swear that, by the grace of God and the stubborn strength and power of human will, their sons and ours shall never suffer these pains again. These men have done their

job well. They have paid the ghastly price of freedom. If that freedom be once again lost, as it was after the last war, the unforgivable blame will be ours, not theirs. So it is we, the living, who are here to be dedicated and consecrated.

We dedicate ourselves, first to live together in peace the way they fought and are buried here in war. Here lie men who loved America because their ancestors generations ago helps in her founding, and other men who loved here with equal passion because they themselves or their own fathers escaped from oppression to her blessed shores. Here lie officers and men, Negroes and whites, rich men and poor... together. Here are Protestants, Catholics, and Jews... together. Here no man prefers another because of his faith or despises him because of his color. Here there are no quotas of how many from each group are admitted or allowed. Among these men is no discrimination. No prejudice. No hatred. Theirs is the highest and purest democracy. Any man among us, the living, who fails to understand that will thereby betray those who lie here dead. Whoever of us lifts his hand in hate against a brother, or thinks himself superior to those who happen to be in the minority, makes of this ceremony and of the bloody sacrifice it commemorates, an empty, hollow mockery. To this, then, as our solemn, sacred duty, do we the living now dedicate ourselves: to the right of Protestants, Catholics, and Jews, of white men and Negroes alike, to enjoy the democracy for which all of them have here paid the price.

To one thing more do we consecrate ourselves in memory of those who sleep beneath these crosses and stars. We shall not foolishly suppose, as did the last generation of America's fighting men, that victory on the battlefield will automatically guarantee the triumph of democracy at home. This war, with all its frightful heartache and suffering, is but the beginning of our generation's struggle for democracy. When the last battle has

been won, there will be those at home, as there were last time, who will want us to turn our backs in selfish isolation on the rest of organized humanity, and thus to sabotage the very peace for which we fight. We promise you who lie here: we will not do that! We will join hands with Britain, China, Russia in peace, even as we have in war to build the kind of world for which you died. When the last shot has been fired, there will still be those whose eyes are turned backward, not forward, who will be satisfied with those wide extremes of poverty and wealth in which the seeds of another war can breed. We promise you, our departed comrades: This too we will not permit. This war has been fought by the common man; its fruits of peace must be enjoyed by the common man! We promise, by all that is sacred and holy, that your sons—the sons of miners and millers, the sons of farmers and workers, will inherit from your death the right to a living that is decent and secure.

When the final cross has been placed in the last cemetery, once again there will be those to whom profit is more important than peace, who will insist with the voice of sweet reasonableness and appeasement that it is better to trade with the enemies of mankind than, by crushing them, to lose their profit. To you who sleep here silently, we give our promise: We will not listen! We will not forget that some of you were burnt with oil that came from American wells, that many of you were killed by shells fashioned from American steel. We promise that when once again men seek profit at your expense, we shall remember how you looked when we placed you reverently, lovingly, in the ground. Thus do we memorialize those who, having ceased living with us, now live within us. Thus do we consecrate ourselves, the living, to carry on the struggle they began. Too much blood has gone into this soil for us to let it lie barren. Too much pain

and heartache have fertilized the earth on which we stand. We here solemnly swear: this shall not be in vain! Out of this, and from the suffering and sorrow of those who mourn this, will come we promise the birth of a new freedom for the sons of men everywhere. Amen.”



Rabbi Gittelsohn, far right, conducting the first Jewish service for members of the 5th MarDiv– Iwo Jima, February 1945



Rabbi Gittelsohn conducting one of many non-denominational services on Iwo Jima.

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