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Rav Aviner in the News: Killing Terrorists & Earthquakes

Better to kill a terrorist than call the police? <http://www.jpost.com/NationalNews/Article.aspx?id=243044>

By JEREMY SHARON
27 Tishrei 5772

‘Torat Hamelech’ co-author Rabbi Yossi Elitzur writes halachic ruling advocating taking law into own hands in aftermath of Schalit deal.

Rabbi Yossi Elitzur of the Od Yosef Hai yeshiva in Yitzhar and co-author of the controversial work on Jewish law, *Torat Hamelech*, wrote in a halachic ruling on Monday that should someone encounter a terrorist, it is preferable to shoot and kill them rather than call the police or attempt to apprehend the person in question, since he may be released in a future prisoner swap.

Writing on the Kol Yehudi website, Elitzur said that the imagined, although “not unrealistic” situation is a relevant issue in Jewish law “following the [recent] release of numerous murderers and a number of attempted terrorist attacks” since the Schalit prisoner-exchange deal was completed last week.

“When the state apparatus broadcasts in an unequivocal manner that there is almost no price to be paid for shedding Jewish blood, it is not clear if it’s a good idea to let the police take care of these issues,” the rabbi wrote.

“At the very least, if there is a window of opportunity in which you can claim selfdefense so that the [legal] framework won’t be overtly damaged, it is better to kill the terrorist and so raise the price of Jewish blood, which has been continually cheapened.”

However, Rabbi Shlomo Aviner, head of the Ateret Yerushalayim yeshiva in the Old City of Jerusalem and a leading religious-Zionist figure, told The Jerusalem Post that a private citizen should not take the law into their own hands in this manner.

“Only the police can decide to do such a thing, not a private individual,” he said. “If there is a clear danger to life then of course the terrorist can be killed immediately but otherwise it is for the state to decide whether or not to give the death penalty to terrorists.”

[Ha-Rav] Aviner added that in his opinion the death penalty should be applied to prevent the recidivism which has occurred in the past among released terrorists and to serve as a warning. In 2009, Elitzur, together with Rabbi Yitzhak Shapira, authored a work entitled *Torat Hamelech: Part One: Laws of Life and Death between Israel and the Nations*, relating to the attitude of Jewish law towards killing non-Jews in times of war. The book states that under certain circumstances, non-Jews not involved in hostilities may be preemptively killed, including children.

In his column on Monday, Elitzur said that the ruling applied in a case where a person sees a terrorist “trying to kill Jews,” and is confronted with the question whether or not to attempt to subdue him, tie him up and call the police, or simply shoot and kill him.”

On the one hand, he wrote, the terrorist can be categorized in Jewish law as a rodef or pursuer, someone who represents a mortal threat to another’s life. Such a person, according to Jewish law, may be killed.

On the other hand, Elitzur wrote, the principle in Jewish law of abiding by the laws of the state in which one lives is an important consideration, and that just as it is dangerous to allow a murderer to remain at liberty, it is also dangerous to allow people to act outside of the law. “However, even if in general it’s better to leave these issues to the [legal] framework, sometimes this framework creates a situation in which it is dangerous to rely upon it,” Elitzur wrote.

The logic for “an Arab murderer” is simple, Elitzur claimed. “Either he succeeds in harming a Jew and successfully escapes; or he fails, but is caught, sits in prison for a short period and is at some stage released in another concession to the Arabs; or he succeeds in killing Jews, is caught and imprisoned for a few years in decent conditions and gains an academic degree, while his friends try to kidnap another soldier to bring the State [of Israel] to its knees once again and the murderer is released.”

Jerusalem - Prominent Rabbi:

Claim of Divine Prophecy Predictions Troubling

<http://www.vosizneias.com/93399/2011/10/24/jerusalem-prominent-rabbi-claim-of-divine-prophecy-predictions-troubling>

26 Tishrei 5772

Jerusalem - Israeli Rabbi Shlomo Aviner, Rav of Beit El and Rosh Yeshiva of Yeshivat Ateret Yerushalyim discounts claims that Kabbalist, Rabbi Nir Ben Artzi’s warnings several weeks ago of impending trouble in Turkey prove that he has the gift of divine prophecy, following yesterday’s devastating earthquake in Turkey.

“There are no prophets in our days,” R’ Aviner was quoted as saying in an interview with Israeli website Srugim . “Real prophecy ended 2,300 years ago and in our day only children

and the mentally unbalanced have the gift of prophecy. While ruach hakodesh does exist, as described by R' Chaim Vital in his sefer Shaarei Kedusha, it does not give one who is so endowed the ability to predict the future.”

R' Aviner described R' Ben Artzi as a “dear Jew, like every other Jew”, but cautioned that many of R' Ben Artzi's predictions have failed to materialize and suggested that those who want to know what will occur when Moshiach arrives should heed the words of the Rambam who said “no one will know what will happen at that time until it actually happens.”

While his previously written sefer “Ben Or L'chodesh” clearly states that there is no prophecy in our day, R' Aviner insists that he was not targeting R' Ben Artzi, but rather the notion that anyone has the gift of divine prophecy, a concept that R' Aviner called “troubling”.

Asked to explain the cause of yesterday's earthquake R' Aviner told Srguim “earthquakes happen. We must daven that something like this never occurs in Israel.”



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