



Law After War

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Our *parashah* describes a deeply charged moment—a moment where the Israelites are at risk of forgetting the Holy Blessed One. Surprisingly, this danger does not stem from lack or deprivation, but rather from a reality of abundance and tranquility that awaits them after conquering the Land.

דברים ו:י-יב

¹⁰וְהָיָה כִּי יְבִיאֲכֶם ה' אֱלֹהֵיכֶם אֶל הָאָרֶץ ... לָתֶת לָכֶם עָרִים גְּדוֹלוֹת וְטוֹבוֹת אֲשֶׁר לֹא בְנִיתֶם: ¹¹וּבָתִּים מְלֵאִים כָּל טוֹב אֲשֶׁר לֹא מְלֵאתֶם ... וְאָכַלְתֶּם וְשָׂבַעְתֶּם: ¹²הִשָּׁמֶר לָכֶם פֶּן תִּשְׁכַּח אֶת ה'.

Deuteronomy 6:10-12

¹⁰And it shall be, when the Lord your God brings you into the Land... to give you great and good cities which you did not build ¹¹and houses full of all good things which you did not fill... and you will eat and be satisfied; ¹²beware lest you forget God.

Why is the reality of abundance—of "houses full of all good things"—the backdrop for the danger of forgetting and the warning against it? What is it about this newfound plenty that destabilizes religious memory and one's connection to God?



I. “Which you did not build”

It seems the verses emphasize not the abundance itself, but its nature: this is wealth for which we did not labor. “Which you did not build ... which you did not fill ... which you did not plant.” This is a reality of plenty completely detached from personal effort, disconnected from any organic process. Against the backdrop of this unearned abundance, the Torah raises the fear of forgetting: “Take heed lest you forget God.” The Torah expresses the concern that, paradoxically, because everything is already there—ready, completed, and accessible—the need to ask where this goodness came from and to express gratitude simply slips away. It is precisely when confronted with a bounty for which I did not toil that the danger of blindness and forgetting becomes most acute.

II. “The spoils of idolaters”: Life outside the covenant

The Gemara in Tractate Hullin sharpens the true nature of this “unearned abundance,” imagining the tangible cultural reality of the space the Israelites were entering—a place where God would hand them fully stocked houses and vineyards they did not plant:

תלמוד בבלי חולין יז.

”ובתים מלאים כל טוב” – ואמר רבי ירמיה בר אבא אמר רב: כתלי דחזירי

Talmud Bavli Hullin 17a

“And houses full of all good things”—and R. Yirmiyah bar Abba said Rav said: This refers to slabs of pig meat.



Rashi clarifies: “חזירים יבשים שקורין בקונ”ש”¹ - dried pork, that they call ‘bacons.’”

The imagery is stark. The houses are full, but they are full of the forbidden. This wealth is far from neutral; it carries a deep foreignness, packed with items that a holy people should fundamentally avoid. Coming from an entirely different world and culture, it immediately threatens to blur Israel’s spiritual boundaries. Furthermore, the Gemara notes that the dispensation to use these spoils was strictly temporary: Actually, *לְעוֹלָם בְּשִׁבְעַ שָׁנִים* - this applied only during the seven years of conquest. Rashi explains: “דלא שרא להו רחמנא טומאה” - *אלא בשעת שלל* - For the Merciful One did not permit forbidden items except during the time of plunder.” In other words, the license to enjoy these non-kosher spoils was a fleeting concession, lasting for the seven years of conquest and not a moment longer.

A highly complex picture emerges from this. The Torah recognizes an intermediate, liminal reality. There is a specific historical window in which a nation enters a land, sustains itself on whatever it finds, and utilizes an existing infrastructure built by others—doing so even when those things completely violate their own way of life and divine commandments. This allowance for plunder during the transition phase is temporary, partial, and strictly a less-than-ideal concession (in halakhic language: *be-di’avad*).

And perhaps this is precisely why the warning against forgetting was so urgent. The true danger lies not just in the presence of wealth, but in the risk of turning a temporary transition into a permanent status. A life built entirely on the premise of “And it shall be, when the Lord

¹ Rashi sometimes supplies a word in French (transliterated in Hebrew characters) to explain a talmudic term. In this case, he happens to use *בִּקּוֹן* “ש”, a word that became our modern English “bacon.”



your God brings you... to give you,” a life sustained by spoils—by the ready-made, by that which is handed over without a shred of personal labor—temporarily permits what is otherwise forbidden. Because of this, it can never serve as the true foundation for a covenant.

Ultimately, we are left with the realization that surviving on found, ready-made goods—exploiting the assets of a conquered land—is an imperfect, provisional state. This seven-year dispensation creates a buffer period for conquest and settlement, but it is a period devoid of a fully realized covenantal life with God. A society cannot sustain itself on unearned abundance over the long term. Plunder and spoils, even when granted by divine decree, are fundamentally different from a true inheritance. A life lived on the back of unearned labor—relying on pre-filled houses and pre-hewn cisterns—is a temporary situation, completely incompatible with the deep, enduring demands of a living covenant with God.

III. A reality devoid of cleaving (*deveikut*)

To counter the danger of forgetting God, the Torah presents a threefold commandment:

דברים ו'יג

אֶת ה' אֱלֹהֶיךָ תִירָא וְאֵתוֹ תַעֲבֹד וּבְשֵׁמוֹ תִשָּׁבַע:

Deuteronomy 6:13

Fear the Lord your God, worship God, and swear by God's name.

The Netziv² reads this verse not merely as a general ethical instruction, but as targeted

² R. Naftali Tzvi Yehudah Berlin (Eastern Europe, 1816-1893), known for his commentary to the Torah called Ha'amek Davar.



guidance for a nation during or immediately following a war—a situation that involves the taking of spoils:

העמק דבר דברים ו:יג

“את ה' אלקיך תירא” וגו'. ... והכונה שישקיע דעתו ביראת אלקים. ... “ואותו תעבוד”. ... וכאן הפירוש שיפנה עצם מלחמתו לשם שמים לטובת הכלל. או להקים צווי המלך. והיא חובה ע”פ התורה. אבל לא להנאת עצמו ללחום כדי לבז ולשלול וכדומה.

Ha'amek Davar to Deuteronomy 6:13

“Fear the Lord your God” ... meaning one should immerse their mind in the fear of God ...

“and worship God” ... and here the meaning is that one must direct the war itself for the sake of Heaven, for the public good, or to fulfill the king’s command, which is an obligation under the Torah. But one must not fight for their own personal pleasure, in order to plunder and despoil, and the like.

The demand to “worship God” is not just a requirement for ritual worship in the narrow sense; it addresses the underlying intention of the action. Even war itself must be waged “for the sake of Heaven,” which is defined here as acting for the collective good: For the sake of life—a life of justice, for the sake of the stranger, the orphan, and the widow, and for the sake of a life devoted to the observance of the whole Torah.³ Given that the broader context involves enjoying the fruits of military conquest, the Netziv clarifies that a desire for plunder and greed can never be the objective of the conflict. He continues:

³ As can be seen, for example, from the introduction to the verse in its later appearance in the book of Deuteronomy: “For the Lord your God is the God of Gods and Lord of Lords, the Great, Mighty, and Awesome God, Who does not know favor or take bribes, Who does justice for the orphan and widow and loves the stranger to give them food and clothes—you will love the stranger, because you were strangers in the land of Egypt; fear the Lord your God, God will you serve, and to God will you cleave, and with God’s name you will swear” (Deuteronomy 10:17-20).

אבל כאן נשתוו כל הולכי מלחמה במצות עשה "ואותו תעבוד". וגם כי אין עת מצוא למצות עשה ד"בו תדבק" לעת כזאת.

But here, all who go to war are equal regarding the positive commandment of "and worship God." And at a time like this, there is also no opportunity to fulfill the positive commandment, "To God shall you cleave."

This insight rests on a comparison with a remarkably similar verse found later in Deuteronomy: "Fear the Lord your God, worship God, cleave to God, and swear by God's name" (Deuteronomy 10:20). While the two verses are almost identical, one glaring difference exists between them, and it is upon this nuance that the Netziv builds a powerful argument about the reality of war and plunder. The words "and cleave to God" are absent from the earlier verse that deals with war and its spoils. The Netziv explains that wartime creates a highly unique societal reality: all fighters become entirely equal regarding the practical obligations of the commandments relevant to the situation. Therefore, the command "and worship God" applies uniformly to everyone on the battlefield, not just to unique individuals of an elevated spiritual caliber.

Conversely, in the raw reality of military conflict, it is impossible to demand the intimate, spiritual heights of divine cleaving (*deveikut*) from the nation. During war, there is no opportune time for such spiritual intimacy. In the thick of battle and the division of spoils, everyone must align their actions toward serving God, yet the profound internal state of *deveikut* remains structurally unattainable. A time of war and plunder is simply not a time for cleaving to God.



The danger of forgetting God does not arise from lack, but precisely from an abundance that is not the product of personal labor. Out of this, the Torah and the Netziv establish a clear boundary. In a time of war and plunder, there are three dangers: forgetting God, living under laws that do not allow for the full fulfillment of the covenant, and remaining in a state where cleaving (*deveikut*) is impossible.

In order to guard against the danger of forgetting, several requirements are made: to direct one's actions for the sake of Heaven, to act for the public good, and not to turn plunder into an objective. The dispensations granted during wartime and its immediate aftermath must be recognized for a limited time only, while striving to return to a life of *deveikut* and to the complete fulfillment of the covenant with the Holy Blessed One.

May we continue to act for the sake of Heaven, for the common good, in a life that allows for the full realization of our covenant with God.

