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## UP AND ATOM: THE RESORT TO NUCLEAR WEAPONS

Adapted from the writings of Dayan Yitzhak Grossman

Russian Foreign Minister Sergei Lavrov recently stated:

The risks [of nuclear war] are now considerable. I would not want to elevate those risks artificially. Many would like that. The danger is serious, real, and we must not underestimate it!<sup>1</sup>

U.S. Secretary of Defense Lloyd Austin countered:

Rattling of sabers and dangerous rhetoric is clearly unhelpful and something that we won't engage in. Any bluster about the possible use of nuclear weapons is dangerous and unhelpful. Nobody wants to see a nuclear war, and nobody can win that.<sup>2</sup>

From an interview with Fox News:

AUSTIN (on whether he believes this will end in a nuclear war): I do not. And I certainly—everyone that's in this neighborhood, that's a part of the international community, you gotta do everything that's necessary to make sure that that doesn't happen...<sup>3</sup>

<sup>1</sup> Russia's Lavrov: Do not underestimate threat of nuclear war. Reuters. <https://www.reuters.com/world/russia-says-western-weapons-ukraine-legitimate-targets-russian-military-2022-04-25/>.

<sup>2</sup> Paul D. Shinkman. 'Dangerous and Unhelpful': Defense Secretary Austin Blasts Russian Nuclear Rhetoric. U.S. News and World Report. <https://www.usnews.com/news/national-news/articles/2022-04-26/defense-secretary-austin-blasts-russian-nuclear-rhetoric-as-dangerous-and-unhelpful>.

<sup>3</sup> Lloyd Austin: Russian foreign minister WWII rhetoric is 'dangerous' and

Margarita Simonyan, editor in chief of the Russian state-controlled media organizations RT and Rossiya Segodnya, is rather more fatalistic:

Either we lose in Ukraine, or the Third World War starts. I think World War Three is more realistic, knowing us, knowing our leader.

The most incredible outcome, that all this will end with a nuclear strike, seems more probable to me than the other course of events.<sup>4</sup>

The ethics of nuclear attack—whether a first strike or a retaliatory one—is an incredibly fraught and complex topic.

In 1962, at the height of the Cold War, Rabbi Maurice Lamm published an essay titled "'Red or Dead'—An Attempt at Formulating a Jewish Attitude."<sup>5</sup> The essay addressed two dueling slogans. On the one hand, British philosopher Bertrand Russell and the advocates for unilateral Western nuclear disarmament insisted that "better red than dead." By this they meant that if no alternatives remain except

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<sup>4</sup> 'unhelpful'. Fox News. <https://video.foxnews.com/v/6305169402001>. Cf. Caroline Vakil. Austin says he 'does not' believe Russian invasion will end in nuclear war. <https://thehill.com/policy/defense/3464099-austin-says-he-does-not-believe-russian-invasion-will-end-in-nuclear-war/>.

<sup>5</sup> Thomas Kingsley. Russian state TV claims Putin is more likely to launch nuclear war than accept defeat in Ukraine. <https://www.independent.co.uk/news/world/europe/putin-nuclear-war-defeat-russian-tv-b2067489.html>.

<sup>6</sup> Tradition. Spring 1962 Issue 4, 2 pp. 165-97.

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 HaRav Yosef Grossman zt"l



### PARSHAS KEDOSHIM A CAUTIONARY TALE

Excerpted and adapted from a shiur by  
 HaRav Chaim Weg

*You shall not go as a talebearer amid your people; you shall not stand by your fellow's blood. I am Hashem.*

Vayikra 19:16

The *mefarshim* offer two explanations for the juxtaposition of the prohibitions of *rechilus* (telling a person something that may cause him to have ill will toward another) and *lo sa'amod*.

According to the Or Hachaim, it teaches us that *rechilus* may be spoken for *to'eles* (beneficial purposes). Due to the *issur* to allow another Jew to be hurt, one must speak *rechilus* to a person that others wish to harm, in order to enable him to avoid the harm.

Rav Hirsch understands it this way: As the Gemara (Arachin 15b) says, *rechilus* can be deadly for three people: the who says it, the one to whom it is said, and the one about whom it is said. Thus one who tells *rechilus* harms people indirectly; *lo sa'amod* teaches that not only is it forbidden to harm another Jew even indirectly, it is also forbidden to stand by and passively

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Q&A from the  
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### Flight Plan

**Q** I am going to accompany the body of my father *a.h.* on a plane to Eretz Yisrael for burial. Will I be considered an *onein* while in flight?

**A** Between death and burial, immediate relatives of a *niftar* are in the halachic state of *animus*, in which three halachos apply:

▣ They are exempt from almost all positive mitzvos, because a) an *onein* is required to attend to the burial, and

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Communist domination or extinction of the human race, the former alternative is the lesser of two evils. On the other hand, anti-communists maintained that "better dead than red," i.e., the imperative of resisting Communist domination was so great that it justified at least the risk of nuclear annihilation.<sup>6</sup>

Rabbi Lamm discusses at length the Torah's laws and ethics of war, and apparently concludes that at least in some contexts, the Torah might indeed teach that "better dead than red":

We would still be committed to defend with our lives the religion, the values, the morals, and ethics—the very life of our people...Above and beyond all other considerations...the most vital and crucial is...his Torah. He may surrender all he has for the sake of peace, but he cannot surrender what he is...

He discusses the terrible religious conditions in the Soviet Union, and argues:

If this is the case today when Russia is still sensitive to world opinion, what will prevail if the globe is all Red?...Dare we consider submitting to "Red" rather than risk death to defend our values?...We live in the hope that success will crown the efforts of the tireless searchers for the third alternative—neither Red nor Dead...The above paragraphs were written in the devout and impassioned hope that the dreadful choice need never be made.<sup>7</sup>

In a rejoinder to Rabbi Lamm, Rabbi Immanuel Jakobovits (later Chief Rabbi of the British Commonwealth) argued that the risk of nuclear war can never be justified:

The underlying question in the "Red or Dead" issue...is whether (a) the free world should continue its atomic build-up—both as a deterrent to prevent an attack and as a means to "massively retaliate" in the event of an attack—even at the risk of universal destruction ("Dead") or (b) it should disarm unilaterally to avoid the alternative of global annihilation even at the risk of eventual enslavement ("Red"). In moral terms the problem is reduced primarily, I believe, to the question of whether the unquestioned right of self-defense (surely<sup>8</sup> the only justification for war or its preparation) includes the threat (deterrent) or act (retaliation) of destroying one's own life together with that of the aggressor.

Rabbi Jakobovits proceeds with the assumption that the Torah's dispensation to kill in self-defense does not extend to doing so at the cost of both lives ("for instance, by blowing up the house in which he and the robber encounter each other"), and thus concludes:

In view of this vital limitation of the law of self-defense, it would appear that a defensive war

likely to endanger the survival of the attacking and defending nations alike, if not indeed of the entire human race, can never be justified. On the assumption, then, that the choice posed by a threatened nuclear attack would be either complete mutual destruction or surrender, only the second alternative may be morally vindicated.<sup>9</sup>

Rabbi Jakobovits proceeds to argue that as a consequence of his position, nuclear weapons cannot even be used as a deterrent:

Once the recourse to atomic warfare even in self-defense (retaliation) is eliminated, the threat to resort to it when attacked (deterrence) also would naturally have to be abandoned. A threat is effective, and can be justified, only as long as the possibility to carry it out exists. It would be futile, in order to scare off robbers, to equip one's home with a powerful bomb if one has no intention, or right, to explode it when actually challenged by a robber.

I do not understand Rabbi Jakobovits's logic here. While it is indeed a tautology that insofar as one's opponent knows with certainty that one will never use a weapon, it cannot serve as a deterrent, in the real world, such certainty will generally not be available—after all, even Rabbi Jakobovits should concede that one's opponent must at least consider the possibility that his opponent will follow the position of Rabbi Lamm rather than that of Rabbi Jakobovits!

This is, of course, a variation of the great paradox at the heart of the doctrine of mutual assured destruction (MAD):

At this very moment, miles beneath the surface of the ocean, there is a British nuclear submarine carrying powerful ICBMs (nuclear-armed intercontinental ballistic missiles). In the control room of the sub, the *Daily Mail* reports, "there is a safe attached to a control room floor. Inside that, there is an inner safe. And inside that sits a letter. It is addressed to the submarine commander and it is from the Prime Minister. In that letter, Gordon Brown conveys the most awesome decision of his political career...and none of us is ever likely to know what he decided."

The decision? Whether or not to fire the sub's missiles, capable of causing genocidal devastation in retaliation for an attack that would—should the safe and the letter need to be opened—have already visited nuclear destruction on Great Britain...

We are told that every prime minister in recent years has written such a letter and that letters that go unused (Tony Blair's for instance) are destroyed without being read...

The Letter of Last Resort serves at least one purpose: It reawakens us to the awful unresolved paradox of nuclear deterrence. We must make any potential nuclear attackers believe that they would be vaporized—suffer national nuclear holocaust—if they hit us first with nuclear weapons. And yet if

is a more severe sin that is derived by *kal vachomer* from *rechilus*. But the Ra'avad holds that *rechilus* is more severe than *lashon hara*, and the prohibition of *lashon hara* is derived in another way (see Chafetz Chaim, Be'eir Mayim Chaim 1:4).

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ha'oseik bemitzvah patur min hamitzvah (one who is involved with one mitzvah is exempt from others); and b) even if others are attending to the *niftar*, in the eyes of onlookers unaware of that, doing mitzvos would appear disrespectful to the *niftar*.



DAYAN YEHOASHUA GRUNWALD

They may not eat meat or drink wine, so that these indulgences not distract them from the burial arrangements.

According to many *Rishonim*, *onenim* may not do things that are forbidden during *aveilus* (e.g., washing, cutting one's hair, greeting people), because an *onein* is no better than an *aveil*. The Rama rules this way.

The Shulchan Aruch rules that in certain cases where the relatives are not involved in burial (e.g., where authorities will not release the body), some of the laws of *animus* are inapplicable (see Y.D. 343:3-4). The Lexush writes that even in those cases, the relatives are no better than *aveilim*, so *aveilus*-like restrictions apply.

The *poskim* discuss whether your case is like those cited by the Shulchan Aruch, given that you cannot do much to further the burial arrangements while en route. R' Shlomo Zalman Auerbach and R' Chaim Pinchos Scheinberg are quoted as ruling that it is, but Rav Elyashiv and R' Yisrael Yaakov Fisher are cited as saying it isn't. It would seem that one may be lenient. All agree that if you are in fact preparing while on the plane, e.g., working on a eulogy or making arrangements via email, you are an *onein*.

they went ahead and did it, if the genocidal threat failed to deter them, there would be no point in carrying out retaliation; it would be useless mass murder, genocide pure if not simple.

On the other hand, if the potential foe thought that we might *not* retaliate once the threat served no purpose—that retaliatory "deterrence" would, in essence, turn out to be a bluff—it would encourage those disposed to strike first to cause a nuclear holocaust without fear of reprisal. We had to threaten genocide—and convince people we meant to carry out our threat—in order to prevent genocide.<sup>10</sup>

10 Ron Rosenbaum. The Letter of Last Resort. Slate. https://slate.com/human-interest/2009/01/nuclear-apocalypse-and-the-letter-of-last-resort.html.

6 Wikipedia contributors. Better red than dead. In Wikipedia, The Free Encyclopedia. https://en.wikipedia.org/w/index.php?title=Better\_red\_than\_dead&oldid=1074720515.

7 Ibid. pp. 191-94.

8 I am not as sure of this as Rabbi Jakobovits was—see my article Warfair: May Countries Invade their Neighbors? Bais HaVaad Halacha Journal. Mar. 10, 2022.

9 Ibid. pp. 201-02.



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allow him to be harmed. According to these *mefarshim*, our *pasuk* refers to *rechilus*. *Lashon hara* (speaking derogatorily about another)

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