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The Status of Peace as a Moral Value

Justice and peace are moral and political values, manifested in both interpersonal and social contexts.[1] There is justice in relations of individuals and justice in political relations shaped by a state or the institutions of society. Justice requires that I pay a debt—an interpersonal value; it also mandates that all citizens of a state shall be treated equally by its laws—a political value. Peace is clearly a political objective; it is desirable to eliminate the occurrence of internal violence among various groups in society. It is also a value in interpersonal relations; conflict among individuals spurred by mutual animosity yields no profit to either adversary. Notwithstanding, peace has not received the philosophic attention given to justice. An examination, for example, of indices of volumes on the history of philosophy will substantiate this assertion. There are usually numerous references to expositions of justice, but references to discussions of peace are relatively few. Why is this the case?

One possible answer is that peace is regarded as ultimately dependent on the practice of justice and is not therefore entitled to too much attention. The moral and political imperative is to engage in action guided by rules of conduct that flow from justice and, should they be followed, it is held that peace will be the inevitable consequence. Hence, there is no need to focus on it. It could also be maintained, assuming it is possible to initiate peaceful behavior that is independent of considerations of justice, that peace in general occupies a subordinate position on the scale of values in relation to justice. The principal social and interpersonal ideal is justice. In this view, actions that are to be pri-

I appreciate this opportunity to offer words of tribute to Rabbi Walter Wurzburger, a colleague with whom I shared a faculty office at Yeshiva University. Our conversations on issues in philosophy and Judaism frequently stimulated my thinking and my association with him, a man of such exceptional moral integrity who lived the ideals he espoused, was for me a source of inspiration and gratitude.

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marily encouraged according to both moral and political criteria are those sanctioned by the ideal of justice, much more so than peace.

The adoption of this approach is evident in democratic societies. In tracts expounding upon the institution of democracy, the principal political objective is usually identified as justice. If a society suffers from substantial injustice, civil disobedience, and even violence in the form of revolution, the negation of peace, are regarded as justified. The reason is that the political structure of a democracy is based on the social contract, which is an elaboration of the terms of association upon which people seeking to form a government would agree. It is assumed, in discourses on democracy, that in such circumstances, people would choose to be guided by the ideal of justice. If the requirements of justice are flagrantly violated, the people are given a contractual right to rebel, notwithstanding the internecine warfare that will inevitably ensue. The pursuit of peace, when precepts of justice are extensively ignored, is not, in a democracy, judged desirable. There seems to be an implicit recognition that the initiation of action intended to enhance peaceful relations between one individual and another or more generally in society, is not a commanding moral and political objective. The mandate is to adhere to the rules of justice. It is otherwise in Jewish religious literature, in which peace receives a great deal of emphasis.

I

The phrase, "Peace is great," introduces many Talmudic comments and observations about the inordinate value of peace.[2] Peace is regarded as a social blessing but its pursuit is held to be a principal obligation in relations among individuals as well. Rabbinic literature directs attention to the importance of peace in interpersonal affairs. Aaron the High Priest is praised because "he loved peace and pursued it."[3] The context of this tribute indicates that the issue was not the peace of society, but peace in individual affairs. Aaron invested a great deal of effort to restore harmony among individuals in confrontation. On the other hand, the *ba'al mahloket*, the instigator of conflict, the individual prone to belligerence, is denounced. There are people, generally prompted by egotistical considerations in their pursuit of power and supremacy, who seek to assert themselves even if the result is a battle. One outstanding example is the Biblical Korah, whose tactics resulted in violence and struggle. He was castigated as evil, not only because his demands were unjust, but princi-

pally, because he subverted the moral imperative which requires that our actions should be peaceful. The following rabbinic passage underscores this point.

> Rabbi Yitshak declared: Three are called wicked (*resha'im*). He who strikes another, he who borrows and does not pay, and he who seeks quarrels. . . . How do we know that the quarrelsome individual is called wicked (*rasha*)? From Korah's associates, (as it is written,) "Move away from the tents of these wicked men."[4]

The evil of Korah and company, who challenged the leadership of Moses and Aaron, could have been condemned on the grounds that they were unjust. The rabbis of the Midrash, however, chose to direct attention to the fact that they were *ba'alei mahloket*, men of conflict.

The moral dimension of the pursuit of peace in individual affairs receives emphasis in that chapter of a Talmudic tractate that devotes itself in its entirety to elaborations upon the greatness of peace. It is entitled *perek ha-Shalom*, the chapter of peace.[5] A particularly relevant comment is offered by Hezekiah.

> Peace is great. (The evidence for it is that) with regard to all *mitsvot* in the Torah, it is written, "If you will see," "If you will encounter," "If you will meet," "If you will build," signifying that when the opportunity arises, you are obligated to respond. But with respect to peace, we are instructed, "Seek peace and pursue it," seek it in your own place and pursue it elsewhere.

What is significant about this passage is that the pursuit of peace is placed in the same category as other obligations, which are indeed halakhic, but are at the same time imperatives of individual morality. The examples referred to are: If you see the donkey of someone you hate crouching under its burden, you must help him; If you encounter an ox or a donkey of your enemy lost along the way, you must return it to him; If you build a new house, you shall make a fence for your roof so that you will not place blood in your home should someone fall from it. Yet, the obligation to exert oneself in behalf of peace and to act accordingly is judged to be greater still. It is wrong, as in the case of the other *mitsvot*, to delay until an opportunity to perform comes knocking at one's door; it is essential to take the initiative, to seek it out. The pursuit of peace is a moral imperative of a higher order.

In addition, the Biblical basis for the obligation to fulfill moral pre-

cepts is, "You shall walk in His ways," which is taken to mean that you shall imitate divine action. Maimonides translated this precept into, "Just as He is called gracious so shall you be gracious, just as He is called compassionate so shall you be compassionate, etc."[6] Maimonides makes it clear that while the content of moral precepts, that is, the conduct they prescribe, can be deduced from the principle that requires that we adhere to the mean and avoid extremes (the golden rule), their sanction, that is, the reason we are obligated to abide by them, is, "You shall walk in His ways." This is applicable to the pursuit of peace as well. God is asserted to be *oseh shalom*, the maker of peace. It follows, that just as He generates peace, so shall we. Since moral conduct is described as conduct in relation to man in imitation of God, it follows that action in the interests of peace is preeminently moral.

II

Judaism underscores the importance of peace in yet another way. According to its teaching, the requirements of peace, in many circumstances, set boundaries even to the application of justice and mercy. There are occasions when the implementation of justice or mercy in human affairs could result in internecine conflict and life threatening violence. Judaism would then maintain that such acts need to be tested by the criterion of peace and discouraged, even prohibited, if their application would result in an unacceptable degree of violence.

Moral precepts cannot always be jointly applied to a proposed action in a consistent manner. There are occasions when one or another of them may have to be set aside as a result of established priorities. The demands of justice and peace, for example, cannot always be reconciled. When hostile adversaries seek justice in the courts, their mutual animosity may intensify and peace may well deteriorate even when justice is done. On the other hand, should they decide to withdraw from their confrontation and settle amicably, rules of justice may not find application. What should be our priorities? Shall justice be assigned greater value than peace or shall peace be granted supremacy, surpassing even the value of justice? Shall one who has been injured withhold a confrontation through litigation to avoid antagonizing his assailant further for the sake of peace, or shall he insist on full compensation for the injury sustained? Shall one refrain from action of a violent nature when suffering the inequities of an oppressive society in order to preserve

tranquility, or is he justified in initiating a political process, even in the form of revolution with all its destructive consequences, to eradicate the evil that prevails? Those who ignore the requirements of peace because of its subordination to justice, will, in such instances, insist on the violent route.

Judaism argues otherwise; it maintains that peace should at times be granted priority. One Talmudic passage has it, that behavior in consonance with justice and truth leads to peace, that is, where there is justice, there is peace.

> Rabbi Shimon ben Gamliel said: The world stands on of three things—on justice, on truth, and on peace. Rav Muna declared: And the three are one, if justice is done, truth is done, peace is done.[7]

But there is another and contrary opinion offered in another Talmudic passage. It begins with a verse from the prophet Zechariah:

> "Truth and the justice of peace shall you judge in your gates." But where there is justice, there is no peace, and where there is peace, there is no justice. But what kind of justice combines with peace? It is the justice of compromise.[8]

According to the latter view, the inflexible application of the abstract rules of justice does not invariably lead to peace. If litigants were to enter a courtroom with the clear intention to reach justice, peace could be the outcome of the process; even the one who lost the case, if he has confidence in the legal competence of the judges and their commitment to justice, will depart with perhaps a painful sense that his litigation ended in failure but with the simultaneous feeling that justice was done. This is a peace that flows from justice. Too often, however, the demand for justice is self-interested; it is used as a wedge to extract some material gain from an adversary, and when the claim is denied in court, the losing litigant may depart from the courtroom entertaining hostile sentiments even more pernicious than heretofore. The pursuit of justice, in this instance, has intensified the conflict.

Well, what kind of justice is more likely to lead to peace? It is the justice of compromise, a state of affairs wherein neither litigant receives all that he believes is his, but is seeking at least partial satisfaction. It is a process guided more by the principle of *hesed* (mercy) than by justice. Clearly, in order to agree to a compromise, each litigant, for the sake of peace, must be prepared to surrender and give to the other, that which

he believes belongs to him. This is the essential feature of every compromise and even of any agreement on the part of litigants who submit to arbitration, which, in effect, also requires compromise. It is a peace resulting from the application of a rule of mercy. Every act by which we surrender that which we believe belongs to us is unselfish, and unselfish conduct, giving to another that which belongs to us, is the essence of mercy. The Code of Jewish Law, in *Hoshen Mishpat*, urges that the resolution of civil conflicts in a court of law should proceed through arbitration, which contains a gesture of mercy as a component, rather than the strict application of the law, which would mete out justice, because that former process is more likely to yield peaceful results.[9] In such circumstances, the commitment to peace results in the recommendation to sidetrack justice in favor of mercy.

It should also be noted, in passing, that those who assign a high moral value to peace, see sound and valid pragmatic reasons for this approach. Nothing generates as much dispute, especially in the international arena, as do conflicting claims in the name of justice. Indeed, it sometimes appears that justice is not so much a principle of peace as it is one of justification. Individuals and nations engage in rationalization. No matter the positions that are adopted, which are usually motivated by self-interest, their proponents attempt to justify them on the basis of arguments that conclude that justice is on their side. A mutual and objective commitment to justice on the part of antagonists is not the rule in interpersonal and international relations. The peace of justice is hard to come by.

In a social context, from a Jewish standpoint, justice seems to have priority except when its application will lead to severe communal pain. When a question arises in any communal situation concerning the relative importance of justice and peace, an assessment needs to take place. If by the insistence upon justice, the community will suffer violence that will have a concomitant degree of pain that surpasses by far that sustained by the prevalent injustice, its requirements ought not to be pressed. Judaism, in such circumstances, would encourage the acceptance of a degree of injustice, if as a result, communal peace and harmony would be preserved.

This is implicit in a rabbinic comment to the effect that we are obligated to, "pray for the peace of the kingdom because, were it not for fear, each man would swallow the other alive."[10] This is not a recommendation to pray for justice in order to bring peace in its wake. It is rather an injunction to pray for peace, irrespective of some degree of

injustice that may be perpetrated by sovereign authorities. The rabbis seem to be advising that it is better to have peace, even without justice, in circumstances in which the absence of peace would encourage the savage impulses and inclinations of men, while the preservation of peace would assure for the Jewish community a better quality of life. If, for example, a special tax were imposed on the members of the Jewish community which other segments of society were spared, a state of affairs that was often the case in the course of Jewish history, it would constitute an act of rank injustice that would justify various forms of protest, but not acts of violence that would destroy communal peace. Leaders of the community would have to measure the pain resulting from an unfair imposition of taxes against the turbulence that would follow an uprising or rebellion initiated by protesters. The acceptance of a degree of injustice in the interest of preserving peace would be an acceptable decision.

In prophetic times, kings of Israel often conducted themselves in a manner that constituted flagrant violations of the requirements of justice, but violence was eschewed. The people suffered, the prophets protested and denounced, but no blood was spilled in an attempt to rectify the existing state of political affairs. The introduction of chaos and anarchy into the social landscape was not regarded as an acceptable solution.[11]

It is also the commitment to peace that, at times, requires limitations to the application of mercy. If mercy were preeminent in all circumstances, it would encourage criminals to engage in their nefarious activities and bring intolerable pain to individuals and widespread disarray to society. As the sages put it, "He who is compassionate to the cruel is cruel to the compassionate."[12] The release of a criminal on the basis of mercy will enable him to perpetuate his demonic behavior and bring agony and misery to innocent victims. Consideration of communal peace would, in these circumstances, prohibit the practice of mercy. This in fact was the rationale for the condemnation directed by the prophet Samuel against King Saul who allowed Agag, king of the Amalekites, after his army sustained total defeat, to remain alive. "And Saul and the people had compassion on Agag." Rabbinic literature presses this point by noting that Haman, who sought to eradicate the Jews of the Persian Empire, was a descendant of Agag. The implication is that Haman carried forward the heritage of vicious hatred for the people of Israel that he received from his ancestor.

The lofty status of peace as a moral imperative in Jewish thought is thus evident from the fact that the ideal of peace frequently assigns

boundaries to the application of the ideals of justice and mercy. It is a recognition of the importance of peace that prompts judges in a court of law to recommend arbitration and compromise (manifestations of mercy) over the strict application of law required by justice. In a social context, it is an identical commitment that prompts the decision to tolerate even a significant degree of injustice, and perhaps even more, for the sake of a peaceful life for the people of Israel. Peace then, is a moral virtue, which, in the Jewish perspective, should be pursued because "peace is great." It is greatest when the peaceful gesture is also a manifestation of mercy; it is great when it combines with justice; it is still great when it is prompted by neither mercy nor justice but arises out a commitment to peace. Judaism's perception of peace is not consequential; it is not merely an effect of the application of the principles of justice and mercy; peace is a moral ideal of inordinate value.

III

It is worth noting that there is a view that assigns to peace so high a priority that it gives no consideration to justice. This, indeed, is what motivated the political perspective of Thomas Hobbes, the author of *The Leviathan*. Having survived a period of social conflict, he determined that what people really wanted was peace, even if unaccompanied by justice. He argued that society's members would be prepared to surrender altogether such ideals as freedom, equality, and a democratic polity, essential components of political justice in the democratic perspective, in the interests of peace. These are extreme views with which Judaism would not agree. Judaism is not prepared to throw justice to the wind. To the contrary, it is an ideal of ultimate importance. But it does maintain that the pursuit of peace has so high a moral priority that there are occasions in the lives of individuals and society when considerations of justice should be subordinated to it because, "Peace is great."

NOTES

1. I should note that this essay is limited to a discussion of peace in the context of a society. Its focus is an examination of the Jewish perspective on peace in interpersonal interactions and in the relations of individuals to society. The status of peace in international affairs will not be addressed because international morality, as in war for example, is not identical to individual and social morality. Such an undertaking would require an independent essay.
2. *Yevamot* 65b; *Masekhet Derekh Erets* 7:37, *perek ha-Shalom* 1-19.
3. *Avot* 1:12.
4. *Pesikta de-Rav Kahana*, ch. 24.
5. This is chapter 10 of *Masekhet Derekh Erets Zuta*.
6. *Mishneh Tora*, *Hilkhot De'ot,* 1:5-6.
7. The concluding chapter of *Derekh Erets Zuta*.
8. *Sanhedrin* 6a.
9. Ch. 12, par. 2.
10. *Avot* 3:2.
11. There were occasions in Jewish history when violence was chosen as the desirable option as, for example, when the Hasmonean family fought against the Syrian Greeks, but those were instances of war against an external enemy, not an attempt to change social conditions so that they would reflect the requirements of justice.
12. *Tanhuma, Parshat Metsora, par. 1.*