

Dear Rabbi Fried,

Please help me reconcile what appears to me to be a serious contradiction in the bible. On one hand, the ten commandments state “Thou shalt not kill”. On the other hand, many transgressions in the bible receive the death penalty. Why don’t the ten commandments win out over capital punishment? Further, the bible commands the Israelites to go to war against various nations. Isn’t war a violation of the commandment not to kill?

Shawn M.

Dear Shawn,

This is one of many examples where the English translation of the bible, the Torah, leaves us very lacking in its true meaning. To answer your excellent questions we must take a look at the Hebrew source.

The Torah, in fact, never said “Thou shalt not **kill**”, which would be in Hebrew “*Lo Taharog*”. The Hebrew root for the word “to kill” is *harog*, spelled *hey reish gimel*.

Instead, the Torah says in the ten commandments: “*Lo Tirtzach*”, which means thou shalt not **murder**. (Shemos/Exodus 20:13) Throughout the Torah, whenever it mentions capital punishment, it uses the verb *harog*, to kill, or “*yamus*”, he shall die; not *tirtzach*, to murder. Similarly, whenever discussing matters of war, the Torah commands us to *kill* our enemies, not *murder* them, which would be a transgression of the ten commandments to do so.

This distinction is not simply an exercise in semantics. In Torah thought and law, there is a profound distinction between killing and murdering. To murder is to wrongly end the life of an innocent human being. To kill is to end the life of another human being who’s life has already lost its meaning. Allow me to explain.

The ten commandments were written upon two tablets. The first tablet enumerates the mitzvos between man and G-d, the second between man and his fellow man. One reason for this is to draw a parallel between each of the two sets; the first of the first tablet coincides with the first of the second. “You shall not murder” corresponds to “I am the Lord your G-d”. This is because man was created in the “image of G-d” (Braeshis/Genesis 1:27). This creation in the image of G-d is what creates the distinction between killing animals which is permitted for food, and the killing of man which is considered murder, as the Torah explains (ibid 9:1-7).

As long as a man is in the “image of G-d”, to kill him or her is murder. When one transgresses the most repugnant of acts, so negative in the eyes of G-d that they carry the death penalty, this is a barometer that that person has thrown off their likeness to G-d. To kill him, when commanded to do so, is no longer considered murder. Similarly, the mortal enemies of the Jewish people, which renders them enemies of G-d Himself, have lost their likeness to G-d, and to kill them in war is not murder. Similarly, if a man approaches another man with intent to murder him, all are commanded to kill the murderer. The Torah pronounces the license to kill the murderer before he kills the other, because “he has no blood” (Shemos/Exodus 22:1). This means he has, by his intent, already lost his status as a living person in the image of G-d, therefore to kill him is not an act of murder, but a mitzvah.

Sadly, murder has become so commonplace in the world we live, we almost can’t open a newspaper without reading of some tragic, often multiple, murder. This has had a subconscious, negative affect upon us all. When Prime Minister Rabin was assassinated, the leading rabbi of Israel made a fascinating ruling. Rabbi Elyashiv ruled that all the children’s schools in Israel should spend extra time studying the commandment against murder. He felt that just hearing that a prominent Jew was murdered would subconsciously affect the children to take the prohibition of murder more lightly. This could, and does, affect us as adults as well.

As Jews, we should always focus on the sanctity of life.