War in Rabbinic texts:

(1) “Hashem Ish Milchamah” (Ex. 15:3 Shirat HaYam)
(2) you shall blot out the memory of Amalek from under heaven Do not forget! (Deut. 25:19) [N.B. Haman in Megilat Esther was descended from Amalek (I Sam. 15)*
(3) Tehillim: “Have you not rejected us Hashem, by not going out with our armies?

David B Levy

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* Rabbi Chaim Soloveitchik of Brisk declared that the commandment to destroy Amalek extends not merely to the genealogical descendents, but also to all who embrace the ideology of Amalek by try to destroy Torah learning
Leaders who lead Jews into war

• (1) Joshua
• (2) Gideon
• (3) Saul
• (4) David
• (5) Moses
Israel’s Historical battles

• Israelite warriors = armies of living G-d (I Sam 17:26)
• People of Israel= armies of G-d (Ex. 7:4; 12:4)
• Battles of Israel against
  – A) Cananites and 7 nations
  – B) Philistines
  – C) Assyrians
  – D) Babylonians
  – E) Amalekites
3 types of categories or War

- (1) milchemet mitzvah (commanded war)
- (2) milchemet reshut (discretionary war)
- (3) milchemet hovah (obligatory war)
Milchemet mitzvah Sotah 8:7

• “everyone must go forth to commanded war, even a bridegroom from his chamber and a bride from her bridal pavilion”

• משנה מסכת סוטה פרק ח

• The discussion is stimulated by a set of rules and procedures treating war in Deut. 20. The title of the mishnah chapter 8 is “Mesuach milchamah” (anointed for war) which refers to the Levitical priest who addresses the troops before battle (Deut. 20:1-4) and actually will coach the troops (haholekh imakhem lehilachem lakhem)
7th mishnah of Sotah defines types of deferments creating a typology of war what today is called “rules of engagement

• “To what types of wars do these deferment instructions apply? To a Discretionary war (milchemt ha-reshut) but in a commanded war (milchemet mitzvah) everyone must go forth, even a bridegroom from his chamber and a bride from her pavilion. Rabbi Yehudah said “to what types of wars do these deferment instructions apply? To a commanded war (milchemet mitzvah_ but in an obligatory war (milchemet chovah) everyone must go forth, even a bridegroom from his chamber and bride from her bridal pavilion.
Gemarah on Sotah: Rav Yohanan

• Rabbi Yohanan said: There is only a terminological difference (mashma’ut) between the anonymous statement and Rabbi Yehudah. Rabbi Yehudah called the discretionary war of the anonymous statement a commanded war. However they all agreed that everyone was required to go out for an obligatory war, even a bridegroom from his chamber and a bride from her pavilion.
Gemarah on Sotah: Rav Hisda

• Rav Hisda said, “There is a conceptual dispute (machloqet) between them. The rabbis represented by the anonymous statement contend that a commanded war would be David’s war while an obligatory war would be Joshua’s war; but Rabbi Yehudah called a Discretionary War one that we initiate against the enemy, and an obligatory war one which the enemy initiates against us.”

• It is written (I Kgs. 15:22) “Then King Asa mustered all Judah non one was exempt (ein naqi). What is the meaning of no one was exempt? Rabbi Shimon differed with the rabbis. Rabbi Simon said a man is not exempt to leave fighting in order to go home even for one hour. The rabbis said Even a rabbi of an eminent rabbinical house is not exempt. [PT Sota 8:1]
Sotah 44b

- Rabbi Yohanan said: Discretionary War according to the rabbis is commanded war according to rabbi Yehudah. Commanded war according to the rabbis is obligatory war according to Rabbi Yehudah.

- RAVA said The wars of conquest of Joshua everyone agrees is obligatory while the wars of the house of David for territorial expansion everony agrees is discretionary. They differed over weakening idol worshippers so that they would not march against them. One considers this Commanded while the other considers discretionary.

- [The halakhic difference between the two positions is that one who is engaged in the performance of a commandment is exempt from the performance of a different commandment]
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Summary

• The battles of Joshua to conquer the land of Israel were commanded and countenanced no deferments. The battles of David for expansion were discretionary for which differments were allowed.
Berakhot 3b in context of discretionary war of David

• David immediately rose and studied Torah until the sparkling of the dawn. When dawn broke the wise men of Israel entered and said to him “our lord the King, your people Israel need sustenance. David replied, “go and make a living from one another. [learn a trade]” They said to him: A handful cannot satisfy a lion, nor can a pit fill itself up or its own accord.” David replied to them, “Stretch out your hands in a troop against idolaters to plunder.” They immediately took counsel with Achitofel, consulted the Sanhedrin and asked of the Urim and Tumim.

• ליליא ואתי יממא, נשך יממא ואתי ליליא. וודא מיה יעד פליא דיללי אימא? ... ליליא ואתי יממא, נשך יממא ואתי ליליא. וודא מיה יעד פליא דיללי אימא? השתא משה רבינו לא הוה ידע, דכתיב zachatz הלילה אני יוצא בתוך מצרים, וחכומת? אילימא דאמר וליה קודשא ברך הזחא חכומת - מי Ain ספייקא קמי שמיא? אילימא דאמר וליה - אימא מספקאလיח - דוד הוה ידע? (למחגור)妲אות (כי השתא), עותא איהו ואחר: חכומת, אימא מספקא ליח - דוד סימנא הוה ליה, דאמר רב אוחא בר היבאני אימר רבי שמעון חסידא: חכומת - למלעה ממעתיה של דוד, עותא שחיית חצות לילה בזחא ידע, בזחא ידע - דאין הקומץ משביע את הארי, אין הבור מתמלא מחוליה. אימר להם: לכו ופשטו ידיכם בגדוד, מיד יועצים באחיתופל ונמליכין בסנהדרין, וושואלין באורים ותומימ. אימר רב יוספ: מי...
3 vows in Shir HaShirim

• “I make you swear O daughters of Jerusalem, by the gazelles and by the hinds of the field, do not make or rouse love until it is wished”

• הנשבעתם אשתכם בנות ירושלים, בצידות, או, ביאליות השדה: אם-תעירה, אם-תענזרו את-האבה, עד-שתחפשים.

• The daughters of Jerusalem is a metaphor for Klal Yisrael who must not rouse love (attempting to bring the messiah) until it is wished, meaning until G-d decides time is right. Attempting to bring messiah by human means through rebellion, war, or revolution rather than waiting for G-d to bring the messiah constitutes “forcing G-d’s hand” (dochin et ha-qetz). The pusek of Shir Hashirim was interpreted that Israel not ascend to Eretz Yisrael en masse, nor rebel against their inferior position under gentiles. In response G-d will not allow the gentiles to persecute the Jews “overly much” (yoter middai). Radical Zionism’s call to negate the diaspora, shallal ha-galut can lead to persecution of Jews within the conception of “ha-olom ist ein golem.”
3 Vows

• Why are there these 3 vows? One teaches that Israel should not go up to the L-nd of Israel in a wall, in one the Holy One made Israel swear that they would not rebel against the nations of the world, and in one the Holy One made the nations of the world swear that they would not subjugate Israel too harshly

• BT. Ketubot 111a
Ketubbot 110b on 3 Vows

- Rabbi Zeira wished to make aliyah and tried to avoid Rav Yehudah for Rav Yehudah said “anyone who goes up from Babylon to eretz-yisrael transgresses a positive commandment as it says (Jer. 27:22) They shall be brought to Babylon and there they shall remain until I take note of them- declares the L-rd of hosts. But Rabbi Zeira obviously could not avoid Rav Yehudah for Rabbi Zeira said this verse refers to the equipment used in the Temple service and not to the Jews themselves. Rav Yehudah answered but it is written in another place (Shir HaShirim 2:7) I make you swear O daughters of Jerusalem, by the gazelles or by the hinds of the field: do not make or rouse love until it is wished. Rabbi Zeira responded this verse teaches only that Israel should not go up to eretz yisrael in a wall (homah). Rav Yehudah: There is another “I make you swear” Rabbi Zeira: That one needs to be explained according to the view of Rabbi Yose in the name of Rabbi Hanina who said: “Why are there these three vows in Shir HaShirim? One teaches that Israel should not go up in a wall to eretz yisrael in one Hakodesh barukh Hu made Israel swear that they would not rebel against the nations of the world, and in one the Holy One made the nations of the world swear that they would not subjugate Israel too harshly. Rav Yehudah: It is written, Do not wake or rouse love. Rabbi Zeira: This must be explained according to Rabbi Levy who said: Why are there these six vows? Three we just mentioned and three others: That they shall not reveal the end, not postpone the end, and not reveal the secret to gentiles. It is written by the gazelles or by the hinds of the field. Rabbi Eleazar said with regard to this phrase that G-d intended the following: If you carry out the vow, good, but if not, I will permit your flesh to be consumed like that of gazelles or hinds of the field.
Shir HaShirim Rabbah

• Rabbi Helbo says: There are 4 vows here. G-d made Israel swear that they not rebel against the governments, that they not try to bring the End early, that they not reveal their mysteries to the nations of the world, and that they not go up as a wall (Homah) from the Galut. If they do, then why should the King Messiah come to gather the exiles of Israel? Rabbi Onia said: G-d made them swear four vows in relation to the 4 generation that tried to hasten the END and failed, which are one: one in the days of Amram, one in the days of Dinai, one in the days of Ben Koziba, and one in the days of Shutelach b. Efrayim as it says, (PS.78:9): The children of Efrayim were as archers carrying bows who turned back in the day of battle. They kept not the covenant of G-d and refused to follow his Torah.... What did they do? They gathered together and went to war, and many of them fell and were killed. Why? Because they did not believe in G-d and did not trust I His Salvation, because they transgressed the Endtime and transgressed the vow, DO NOT WAKE or ROUSE LOVE (Shir HaShirim 2:7; ad loq. Shir HaShirim Rabbah)
French Tosofists and 3 vows

- The 13th century emigrations of French Tosafists called “the ascension of the 300 rabbis” motivated by increasing halakhic observance by moving to a place where more of the divine commandments might apply. In the 18th century was there more messianic expectation among disciples of the GRA (see Morgenstern, Arie, Messianism and the Settlement of Eretz-Yisrael in 1st half of the 19th C” (Hebrew), Jerusalem, Yad Yitzhak ben Tzvi, 1985)
Rabbis Isaac ben Sheshet Perfet & Solomon ben Simeon Duran

- Rabbi Isaac ben Sheshet Perfet of Barcelona (Ribash), a refugee of the Spanish persecutions of 1391 ruled like Nachmanides that “Emigration to Eretz Yisrael is a commandment but he agreed and cautioned not to ascend the wall (in war).

- Rabbi Solomon ben Simeon Duran of Algiers (Rashbash) the child of Spanish refugees responded “it is incumbent upon every individual to go up to live in the land of Israel however this is not an all inclusive commandment for all of Israel in the exile for it is one of the vows which HaKadosh Barukh Hu has adjured Israel that they not hasten the END, and not go up in a wall. Consider what happened to the children of Ephraim when they forced the End prematurely.
Milchemet Mitzvah

• (a) Maccabean Revolt against Seleucids
• (b) Great Revolt (hamered hagadol) against Rome in 1st Century CE not just zealots (kana’im/lestai/ baryonim (thugs) (Greek))
• (c ) Bar Kokbah Revolt 2nd Century CE. Bar Kokbah is the nom de guerre of military leader Simon Bar Kosiba who commanded Jewish revolt in 132-135 CE. Rabbi Akiva referred to Bar Kokhbah as malka meshicha
Rabbi Akiva on Bar kokbah in Targum Onkelos and Pseudo Yonatan

Rabbi Shimon b. Yohai taught: “Rabbi Akiva my teacher would expound Num 24:17, A star will step forth out of Jacob, as follows: Koziba will step forth from Jacob. Rabbi Akiva when he saw Bar Koziba would say, “this is the King Messiah”. Rabbi Yohanan b. Torta said to him, “Akiva weeds will grow out of your cheeks and the son of David will still not have arrived”
Palestinian Talmud vs. Midrash Eikah rabbah

Palestinian Talmud
- Ben Koziba gave him one kick and killed him...
- Immediately Beitar was captured and Ben Koziba killed

Midrash Eikah
- Immediately sins caused the capture of Beitar, and Ben Koziba was killed
Bar Kokhba and Rabbi Elazar

- Bar Kokbah and R. Elazar represent two poles. The soldier Bar Kokhba fought physical battles, while the sage Elazar perhaps the greatest Torah interpreter of his generation according to the Talmud (Shabbat 55b) fought and struggled over the meaning of the Torah. Bar Kokbhhah relied on physical strength while R. Elazar relied on G-d’s help and R. Elazar was called by a heavenly voice, “the powerful arm of all of Israel.”
Rava on Bar Kokhba in Sanh. 93b

• The messiah can judge by sensing, as it is written “He shall not judge by seeing with his eyes... He will judge the humble with righteousness and adjudicate the poor evenly. Bar Kokbah ruled for two and ½ years. He said to the rabbis, “I am the messiah”. They answered “about the messiah it is written that he senses and judges. We will see whether he sense and judges. When they saw that he did not sense and judge, they killed him. (BT Sanhedrin 93b)
Al Hanisim tefilah for Hanukah

• You delivered the mighty into the hands of the weak, the many into the hands of the few, the wicked into the hands of the righteous, the unclean into the hands of the pure, and the arrogant into the hands of those who were devoted to your Torah

• Instructions for celebration of Hanukkah in Maseket Shabbat 21b
What is the reason for Hanukkah? As our rabbis taught, on the 25th of Kislev began the 8 days of Hanukkah during which eulogies and fasting are not permitted, for when the Seleucids entered the Temple they defiled all the oils that were in the Temple and when the Hasmonians prevailed and defeated them, they sought but found only one container of oil with the seal of the Kohen Gadol, containing only enough to light for 1 day. But a miracle occurred in which they lit the lamp from its oil for 8 days. The following year they established those days as a festival with songs of praise and thanksgiving.
Rashi’s combat of stereotypes

- Familiar Christian polemic against the Jews that scripture describes Israel pillaging and plundering their way into the land of Canaan in conquest, thereby depicting the Jewish religion as one of violence and war as opposed to the Christian religion of love and grace. Rashi’s message is clear:

- In the beginning (Gen. 1:1) Rabbi Isaac said: The Torah should have begun with the verse, This month shall be the first of the months (Ex. 12:1) which is the first collective commandment given to Israel. Why then did the torah begin with Creation? Because He declared the power of his works in order to give to Israel the heritage of the nations (Ps.111:6). So if the peoples of the world say to Israel: You are robbers because you stole the lands of the 7 Canaanite nations, “Israel can reply to them: all the earth belongs to the Holy One blessed be He. He created it and gave it to whom He pleased When G-d wished , He gave it to them (the Caananites); and when G-d wished, He took it from them and gave it to us.

- Rashi’s commentary on Sotah 44b regarding commanded war. Such as the conquest of eretz Yisrael in the days of Joshua.
There is no disagreement between them (the rabbis and Rabbi Yehudah) that war against the 7 Canaanite nations and war against Amalek is obligatory. And furthermore there is no disagreement between them that war against the people of the other nations is discretionary. There is a difference of opinion only about war against those who come to fight them in order to weaken them so they will not initiate war against Israel and attack their land. The rabbis consider this discretionary, while Rabbi Yehudah calls this type of war commanded. According to Rabbi Yehudah whoever was engaged in this category of preemptive war or in activities supporting it is exempt from the other commandments because our principle as you know, is that one who is engaged in commandments is exempt from other commandments. According to the rabbis he who is involved in a preemptive fighting is not engaged in a commandment. Jewish law halakhah does not follow Rabbi Yehudah in this particular matter.
Maimonides in MT. on deferments in Laws Concerning Kings and Wars

• To what types of Wars do these instructions about discharging the people from battle apply? To a discretionary war, but in a commanded War everyone must go forth, even a bridegroom from his chamber and a bride from her bridal pavilion (Kings and wars 7:4)

• The primary war that the king wages is a commanded war. Which may be considered a commanded war? War against he 7 Canaanite nations, war against Amalek, and aid to deliver Israel from an attacking enemy. Secondly he may fight a discretionary war, which is war against the other nations to extend the borders of Israel and to enhance his greatness and majesty (Kings and Wars 5:1)

• All lands that Israel conquers through the leadership of the king at the decision fo the court are deemed national conquest (kibbush rabbim) and become in all respects an integral part of the Land of Israel conquered by Joshua, provided that they are conquered after the whole of the land of Israel specified in the Bible (Kings and Wars 5:6)
Maimonides Hilkhhot Terumot 1:2

- The land of Israel is defined as those lands that were conquered by a king of Israel or a prophet with the authorization of the majority of Israel: this is what is called majority national conquest (kibbush rabbim). But any individual, family, or tribe of Israel that goes and conquers a place for themselves, even if within the Land that was given by G-d to Abraham, is not considered the Land of Israel for the purposes of observing all of the commandments. This is why Joshua and his court divided all of the land of Israel into tribal divisions even though it was not yet conquered in order that there would be no individual conquest through the acts of each tribe to conquer its own territory.

- See also hilkhot terumot 1:3, 1:5, 1:10
One may not wage war against anyone in the world unless a peace offer is made first. This applies to discretionary wars and commanded wars, as it is said (Deut. 20:10) “When you approach a town to attack it, you shall offer it terms of peace. If they surrender and accept the 7 Noahide commandments, not a single soul is killed. But they become tributary, as it is said (Deut. 20:11) all the people present there shall serve you at forced labor.
If they refuse to surrender, or if they surrender but do not accept the 7 Noahide laws, war is made against them. All adult males are killed and all their money and children are taken as plunder, but no women or child is killed as it is said (Deut. 20:14): Take as your booty the women and the children. Children refers to male minors. To what does this rule apply? To a discretionary war against the other nations that do not surrender or accept the Noahide laws; but if the 7 Canaanite nations and Amalek do not surrender, no one is spared as it is said “Thus you shall deal with all the towns that lie very far from you... Only the towns of these neighboring peoples... you shall not let a soul remain. So too with respect to Amalek it says (Deut. 15:19) You shall blot out the memory of Amalek. From where do we derive that this refers only to those who have not surrendered? As it says (Josh. 11:19-20), Not a single town surrendered to Israel apart from the Hivites who dwelt in Gibeon; all were taken in battle. For it was the L-rd’s doing to stiffen their hearts to give battle to Israel in order that they might be utterly destroyed. We infer from this that Israel offered them all even the Canaanites and Amalekites the option of surrender but they did not accept it.
Commandment #187 is that G-d commanded us to kill the 7 Canaanite nations, for they were the root and original foundation of idolatry. This command is in His may He be exalted statement (Deut. 20:17) You must utterly destroy them. G-d has explained to us in many scriptural texts that the reason for their destruction is so that we not learn from their apostasy. Now there are many passages that strongly urge killing them. War against them is commanded war. One might think that this commandment is not binding for all time, since the 7 nations no longer exist. But one could only think this who does not understand the difference between things that are eternally binding and those that are not.... Thus have we been commanded to kill the 7 nations and to destroy them; this is a commanded War through which we are required to root them out and pursue them throughout all the generations until they are destroyed without even a single survivor. And thus we did until they were brought to a complete end by David, while the survivors were scattered and assimilated among the nations until no trace of them survived. It does not follow that although they have been destroyed, the command to kill them is no longer in force throughout the generations, just as it cannot be said that war against Amalek is not in force throughout the generations even though they have been absolutely destroyed. This is because these commandments are not bound by time or place (Mitzvah + 187)
Maimonides in Sefer HaMitzvot
positive 187

• It is a positive command to absolutely destroy the 7 nations, as it is said (Deut. 20:17), you must utterly destroy them, and anyone who fails to kill any of them who fall into his hands transgresses a negative command, as it is said (Deut. 20:16). You must not let a soul remain alive. But their memory has long perished

• So too it is a positive command to obliterate the memory of Amalek, as it is said (Deut. 25:19) you shall blot out the memory of Amalek. It is a positive command always to bear in mind his evil deeds and ambushes so as to keep alive enmity toward him, as it is said (Deut. 25:15), Remember what Amalek did to you. The oral tradition teaches, “remember by word of mouth, do not forget (Deut. 25:19) in your mind,” in order to forbid forgetting hatred and enmity toward him (Kgs. And Wars 5:4-5)
You have no doubt noticed in the Torah when it commanded the destruction of the seven nations with the verse you shall not let a soul remain alive that jointed to these words is lest they lead you into doing all the abhorrent things that they have done for their gods and you stand guilty for the Lord? That is to say: Do not think that this is cruelty or an act of vengeance. Rather it is an act required by human reason to remove all who would deviate from the path of truth and remove all obstacles that impede the realization of perfection, which is the knowledge of G-d may He be exalted
This is what the sages call Commanded war. This is what they said in Sota 44b: Rav Yehudah said, the wars of the conquest of Joshua everyone agrees is required, while the wars of the house of David for territorial expansion everyone disagrees is discretionary.” And in the language of the Midrash Sifrei (17:14), “You will dispossess it and settle it (Deut. 26:1)
Ramban on wars of David

- We are commanded to engage in the conquest in every generation. Now I say that the sages emphasized living in the land of Israel to the point of hyperbole, even to the point of saying that anyone who leaves the land of Israel and lives outside the land is as if he has engaged in idolatry, as it is said (I Sam. 26:19), They have driven me out today from sharing in the L-rds possession as if I am told, “go worship other gods”. They made many other such hyperbolic statements regarding this positive commandment that we are commanded to possess the land and settle it. It is therefore an eternal positive command, obliging every single individual even during the time of exile as is known from the talmud in many places. In the language of Sifrei, “it once occurred that Rabbi Yehudah ben Batira, Rabbi Matya ben Harshuni, Hananya ben Achai, Rabbi Yehoshua, and Rabbi Natan had left the land of Israel; when they came to Puteoli they remembered the land of Israel, lowered their eyes, cried rivers of tears, tore their clothes in mourning and recited this verse (Deut. 11:31-32), When you take possession of it and settle in it, take care to observe all the commandments…. They concluded settling in the land of Israel (yeshivat eretz yisrael) is equal to all of the commandments in the Torah (Hassagot, positive 4)
It is my opinion that the Rabbi (Maimonides) considered the commandment of dispossessing the land and settling it to be in force only during the days of Moses and Joshua, David and the period during which we were not exiled from our land. However, after we were exiled from our land, the commandment is no longer valid throughout the generation until the coming of the messiah. On the contrary we are commanded according to what the sages said at the end of Ketubot 110a not to rebel against the nations in order to go and conquer the land by force. They proved this with the verse from Shir HaShirim 2:7: I make you swear O Daughters of Jerusalem... which they interpreted to mean that Israel is not to go up to the land in a wall. When Nahmanides claims the sages teach that the conquest of land is commanded war, this refers to when we will no longer be enslaved to the nations in the future. And when he also said that he sages praised living in the land of Israel to the point of hyperbole this was during the period that the Temple was still standing i.e. in the past. But now it is not a commandment. This is according to what the sages said there in Ketubot 11a, that anyone who ascends from Babylonia to the land of Israel transgresses a positive commandment as said in Jer. 27:22. They shall be brought to Babylon and there they shall remain. If it were a commandment for all ages to live in the land of Israel how could a prophet come after Moses and contradict his words? For a prophet is not at all free to innovate, let alone to contradict. Regarding the citation Nahmanides brings from Midrash Sifrei in which the sages cried and recited the verse in Sifrei 17:14, “You will disposses it and settle it (Deut. 26:1), it appears to me that they wept because it was impossible for them to carry out this verses instructions because the Temple had been destroyed. The proof of this is that those sages tore their clothes because they were morning the Destruction, for if the commandment were still in force after the Destruction, why did they weep and tear their clothes, for they would have been able to carry it out even then? It is therefore said that this commandment is clearly not in force after the Hurban, may it be quickly rebuilt Amen. (Rabbi Yitchak ben Eliezer de Leon, The Megillat Esther, commandment 4)