

The victims of Munich...



Moshe Weinberg, 33
Wrestling Referee



Yossef Romano, 31
Weightlifter



Yossef Gutfreund, 40
Wrestling Referee



David Berger, 28
Weightlifter



Mark Slavin, 18
Wrestler



Yaakov Springer, 51
Weightlifting Coach



Ze'ev Friedman, 28
Weightlifter



Amitzur Shapira, 40
Track Coach



Eliezer Halfin, 24
Wrestler



Kahat Shor, 53
Shooting Coach



Andre Spitzer, 27
Fencing Referee

Rabbi Efrem Goldberg
9 Av 5772
40th Anniversary of Munich
Massacre

1. Vayikra 19:18

י' כִּי כְּמַעַט אָנִי וַהוּא: לֹא-תִשְׁנַא אֶת-אֲחִיך בְּלִבְבָך הַכְּמַתְבֵּל אֶת-
צְעִמִּתְך וְלֹא-תִשְׁאַלְיוּ חַטָּאת: לֹא-תִקְרַב אֶת-בְּנֵי עַמְּך
ט וְאֶת-בְּנֵת לְרַעַך בְּמֹרֵך אָנִי יְהוָה: אֶת-חַקְמָתִי תִשְׁמַרְתָּך לְאַתְרֵבְתִּיעַ
בְּלֹא-יַעֲלֵה עַלְיךָ:

¹⁶ You shall not be a gossipmonger among your people, you shall not stand aside while your fellow's blood is shed — I am HASHEM. ¹⁷ You shall not hate your brother in your heart; you shall reprove your fellow and do not bear a sin because of him. ¹⁸ You shall not take revenge and you shall not bear a grudge against the members of your people; you shall love your fellow as yourself* — I am HASHEM.

¹⁹ You shall observe My decrees: you shall not mate your animal into another species, you shall not plant your field with mixed seed; and a garment that is a mixture of combined fibers shall not come upon you.

At the root of the precept lies the purpose that a man should now and reflect that whatever happens to him, good or bad, is caused by the Eternal Lord, blessed is He, to occur to him; from a human hand, from a man's brother's hand,³ nothing can be without the will of the Eternal Lord, blessed is He. Therefore, should a man inflict suffering or pain on him, let him know in his soul that his bad deeds were the cause,⁴ and the Eternal Lord (be He blessed) decreed this upon him; and let him not set his thoughts to take revenge from him. For the other is not the [primary] cause of his trouble, since it is sin that brought it about. As David (peace be with him) said, "So let him curse, because the Lord has told him" (II Samuel 16:10): he attributed the matter to his sin, not to Shim'i b. Gérah. Moreover, there is another great benefit resulting from the precept: [it serves] to stop contention and remove hates from people's hearts. And when there is peace among people, the Eternal Lord grants them peace.

Hatred and vengeance are also very difficult to escape, since one's heart is very easily enticed [by them]. A person is very sensitive to his humiliation and feels extreme anguish. [Under these conditions] vengeance becomes as sweet as honey since it is his only respite. Therefore, if he finds the strength to flee the urgings of his nature and to override his own feelings so as not to hate the one who has evoked the hatred within him, and he neither takes revenge when the opportunity arises nor bears a grudge, but instead he disregards all this and removes it from his heart as if it had never existed, there goes a strong and courageous individual. This is something which is easy only for the ministering angels, among whom the aforementioned traits do not exist, but not for dwellers of a physical world who were formed from the earth. Nonetheless, it is the King's decree, and the verses are clearly spelled out and need no elucidation (Vayikra 19:17, 19:18): "You must not hate your brother in your heart. You must not take revenge, nor harbor a grudge against the members of your people."

2. Sefer Ha'Chinuch on the prohibition of revenge

משורי נמצונה, שידע הארים ויתן אל לפו כי כל אשר יקרהו, מ טוב עד רע, הוא סבה שתבוא עליו מאה שם ברוך הוא, ומיד נאים מיד איש אחד לא י היה זכר ביה רצון השם ברוך הוא: על-כן קשיינרו או יאיבחו ארים, בזע פגשו פי עזונוקוי גראמי, ותשם (חברך) גור עליו בקה, ולא ישית מחשבוקוי לנום מנגנו, כי הוא אינו סכת רעתו, כי העוז היא המשכבה, וכן אמר ר' ר' עליו השלום: הנתנו לו יקל כל כי אמר לו השם (חברך), אלה הענן בחתאו ולא בשמעי בן נרא. ועוד נמצאה במצווה חולצת רב למשבטי ר' ריב ולענבר הפטשות מלבד בני-אדם, וביהו שלום בין אנשיים עשה שם שלום להם.

3. Mesillas Yesharim Chapter 11

גם השנאה והנקמה – קשה מאד לשימולט ממנה לב החותל אשר לבני-האדם, כי הארים מרגיש מאד בעלבונותיו ומצער צער גדול, והנקמה לו מותקה מדברש, כי היא מנוחתו לדבה. על כן לשייה בכחו לעזוב מה שטבעו מכירית אותו ושבור על מהותיו, ולא ישנא מי שהעיר בו השנאה, ולא יקסם ממנו בהזדמן לו שייכל להגhum, ולא יטר לו, אלא את הפל ישכח ויסיר מלבו – אבלו לא היה – חזק ואמץ הוא! והוא קל רק למלאכי השרת שאין בינויהם המודות הלו, לא אל שוכני בתיהם חמר אשר בעפר יסודם. אולם, גורת-מלך היא והמקראות גליים בא ר' היטב, אינם אריכים פרוש עיקרא קדושים ט': "לא תשנא את אחיך בלבך", "לא תקם ולא התיר את בני עמך" (שם, ט').

ונידבר יהוה אל-משה לאמר: נקם נקמת בני ישראאל ממאת המקין
אחר תאסף אל-עמיך: ונידבר משה אל-העם לאמר החולצו מאתכם
אנשימים לאבאו ויהיו על-מדין לחת נקמת יהוה במדין: אלף למיטה
אלף למיטה לבל מיטות ישראל תשלחו לאבא: נימסרו מאלבוי
ישראל אלף למיטה שניהם עשר אלף חלייצי צבא: וישלח אתם

4. Bamidbar 31

¹ HASHEM spoke to Moses, saying, ² "Take vengeance for the Children of Israel against the Midianites; * afterward you will be gathered unto your people."

³ Moses spoke to the people, saying, "Arm men from among yourselves for the legion that they may be against Midian to inflict HASHEM's vengeance against Midian. ⁴ A thousand from a tribe, a thousand from a tribe, for all the tribes of Israel shall you send to the legion."

אל-נקמות יהוה אל-נקמות הופיע: הנשא שפט הארץ השב גמול על-
גאים: עד-מתי רשיים יהוה עד-מתי רשיים יעלוזו: יביעו ידברו עתק
ויחאמרו כל-פעלי און: עמק יהוה ידקאו ונחלתו יעננו: אלמנה ונגר
יחרגו ויתוממים יברצחו: ויאמרו לא יראהiah ולא יבין אלקי יעקב:

5. Tehillim 91

¹ ○ God of vengeance, HASHEM; O God of vengeance, appear! ² Arise, O Judge of the earth, render recompense to the haughty. ³ Until when will the wicked, O HASHEM, until when will the wicked exult? ⁴ They speak freely, they utter malicious falsehood, they glorify themselves, all doers of iniquity. ⁵ Your nation, HASHEM, they crush, and they afflict Your heritage. ⁶ The widow and the stranger they slay, and the orphans they murder. ⁷ And they say, "God will not see, nor will the God of Jacob understand." ⁸ Understand, you boors among the

галלו זה ו שירו ליהוה שיר חדש תהלהנו בקהל חסידים: ישמעו
ישראל בעשו בני-ציון יגלו במלכם: יהללו שמם במחול בתף וכגור
זומרו-לה: פירוץ יהוה בעמו יפאר ענויים בישועה: יעלו חסידים
בקבוד ירגנו על-משבבותם: רומיות אל בגרום וחרב פיזיות בידם:
לעתות נקמה בגוים הוכחות בלaims: לאסדר מלכיהם בזקים
ונכבדיהם בבליל ברזל: לעשות בהם משפט כחוב הך הוא לבל-
חסידיו הילדייה:

6. Tehillim 149

¹ Halleluyah! Sing to HASHEM a new song; His praise is in the congregation of the devout. ² Let Israel exult in its Maker; let the Children of Zion rejoice in their King. ³ Let them praise His Name with dancing; with drums and harp let them make music to Him. ⁴ For HASHEM favors His people; He adorns the humble with salvation. ⁵ Let the devout exult in glory, let them sing joyously upon their beds. * ⁶ The lofty praises of God are in their throats, and a double-edged sword is in their hand — ⁷ to execute vengeance among the nations, rebukes * among the regimes; ⁸ to bind their kings with chains, and their nobles with fetters of iron; ⁹ to execute upon them written judgment* — that will be the splendor of all His devout ones. Halleluyah!

A related exposition:

גְדוֹלָה מִקְדֵשׁ שָׁנֶפֶן בֵין שְׁתֵי אֲוֹתִיּוֹת – אָמַר רַבִּי אַלְעָזֶר
– Great is the Sanctuary, for it was placed in Scripture between two Divine Names, **שְׁאָמַר,, פָּעֵלֶת ה' מִקְדֵשׁ ה' ” –** as it says: *The foundation of the dwelling place that You have made, O Hashem, the Sanctuary, my Lord, that Your hands have established.*^[30]

A third exposition regarding wisdom:

כָל אָרֶם שִׁישׁ בּוּ דָעַה וְאָמַר רַבִּי אַלְעָזֶר
– And R' Elazar said: For any person that has understanding, the Sanctuary were built in his days. **דָעַה בַּיּוֹם –** it is as if the Sanctuary were placed in Scripture between two Divine Names, **– מִקְדֵשׁ נָתַן בֵין שְׁתֵי אֲוֹתִיּוֹת –** and the Sanctuary was placed between two Divine Names (as demonstrated above).^[31]

The Gemara challenges these expositions:

רַב אָחָה קַרְχִינָא אָמַר – Rav Acha Karchinaah objected: **מִתְקִיף לְהָרְבָּה קְרַחְיָא** – But accordingly, you would also have to say: Great is vengeance, for it was placed in Scripture between two Divine Names, **שְׁאָמַר,, אַל-גְּמֻמּוֹת זְהָבָה** – for it is written: *O God of vengeance, Hashem! O God of vengeance, appear!*^[32] Would you indeed submit that vengeance is a great thing?!

7. Berachos 33

The Gemara answers:

אֵין בְּמִילְתָה מִיהָא גְדוֹלָה הִיא – אָמַר לָהּ
– Yes! In its proper place vengeance is indeed a great thing. **וְהִינוּ דָאָמַר עַלְיָא** – And this sentiment, that vengeance is at times a great thing, is in accord with what Ulla said: **שְׁתֵי נְקֻמוֹת פְּלָלוֹן –** **אַחַת לְטוּבָה וְאַחַת לְרַעָה –** Why these two vengeances in the verse?^[33] **אַחַת לְטוּבָה –** One is to mete out benefit [i.e. reward] and one is to mete out punishment.^[34]

The Gemara explains:

לְטוּבָה דְכַתִּיב,, חֹפֵץ מַהְרָפָךְ” – This vengeance is intended to mete out benefit, as it is written: *He appeared from Mount Paran.*^[35] **– לְרַעָה דְכַתִּיב,, אַל-גְּמֻמּוֹת הַזְּבָעָה –** And at the same time it is intended to mete out punishment, as it is written: *O God of vengeance, Hashem! O God of vengeance, appear.*

8. Yoma 32

The Gemara records a related teaching:

וְאָמַר רַבִּי יוֹחָנָן מִשּׁוּם רַבִּי שְׁמַעְן בֶּן יוֹחָזָדָךְ – And R' Yochanan said in the name of R' Shimon ben Yehotzadak: **כָל תַּלְמִיד חֲכָם –** Any Torah scholar

שָׁאוּל נָוקֵם – who does not take revenge – or bear a grudge like a snake^[1] – **אַיְנוֹ תַּלְמִיד חֲכָם –** is not a true Torah scholar.^[2]

The Gemara objects:

וְהַכְתִּיב,, לֹא-תִקְמַט וְלֹא-תִתְחַטֵּר – But it is written in the Torah: *You shall not take revenge and you shall not bear a grudge.*^[3] How can R' Shimon ben Yehotzadak require one to act in a manner prohibited by the Torah?

The Gemara answers:

וְהַזְוָא בְּמִמְונָן הוּא דְכַתִּיב – That prohibition was written only with regard to monetary matters, **רַתְבָּנִיא –** as is evident from that which was taught in the following Baraisa: **אִיּוֹ תְּוַיָּא נְקַמָּה –** WHAT IS TAKING REVENGE, **וְאִיּוֹ תְּוַיָּא בְּתִירָה –** AND WHAT IS BEARING A GRUDGE? **וְקַמָּה –** The following case illustrates TAKING REVENGE: **אָמַר לְהַשְׂאִילָנוּ מַלְךָ –** [ONE MAN] SAID TO [ANOTHER]: “LEND ME YOUR SICKLE.” **אָמַר לוֹ לֵא –** [THE SECOND] REPLIED TO HIM: “NO!” **לְפָנָר אָמַר לוֹ הָוֹא קָשָׁא לְעַלְיָה –** THE NEXT DAY, [THE SECOND MAN] SAID TO [THE FIRST]: “LEND ME YOUR HATCHET.” **אָמַר לוֹ אַיִינִי מַשְׁאִילָךְ –** [THE FIRST] REPLIED TO HIM: “I AM NOT LENDING IT TO YOU **שְׁלָא –** JUST AS YOU DID NOT LEND ME your sickle!” **וְזֹה יְהָא נְקַמָּה –** THIS IS an example of TAKING REVENGE.^[4] **אַיּוֹ תְּוַיָּא בְּתִירָה –** AND WHAT IS an example of BEARING A GRUDGE? **אָמַר לוֹ –** [THE FIRST] REPLIED TO HIM: “[ONE MAN] SAID TO [ANOTHER]: “LEND ME YOUR HATCHET.”” **אָמַר לְיוֹה לֵא –** [THE SECOND] REPLIED TO HIM: “NO!” **לְפָנָר אָמַר לוֹ הָשְׁאִילָנוּ חַלְקָךְ –** THE NEXT DAY, [THE SECOND] SAID TO [THE FIRST]: “LEND ME YOUR SHIRT.” **אָמַר לוֹ דִּילָךְ –** [THE

FIRST] REPLIED TO HIM: “HERE, IT IS FOR YOU. **אֵין בְּמוֹתָךְ שְׁלָא –** I AM NOT LIKE YOU, FOR YOU DID NOT LEND ME your hatchet.” **וְזֹה הִיא נְטִירָה –** THIS IS an example of BEARING A GRUDGE.^[5] Only in cases such as these, which are money related, does the Torah forbid taking revenge and bearing a grudge.^[6] R' Shimon ben Yehotzadak, on the other hand, speaks of a person who was subjected to personal suffering, in which case the prohibition does not apply.^[7]

The Gemara challenges this answer:

וְזֹא גְּזֹא – And is it not wrong to take revenge or bear a grudge in a case of personal suffering? **וְהַא תִּנְאַ –** But it was taught in a Baraisa: **דִּינְלְבִּין וְאַנְעַן שְׁלָבִּין –** THOSE WHO SUFFER INSULT BUT DO NOT INSULT IN response, **שְׁוֹמְעַן תְּרַמְּתָן וְאַיִן קָשְׁיבָּן –** WHO HEAR THEIR DISGRACE BUT DO NOT REPLY, **עוֹשִׁין –** WHO PERFORM God's will OUT OF LOVE^[8] **עַלְיָה הַבְּתוּבוֹן אַפְּרִי,, אַנְקָרִי –** AND ARE HAPPY even IN SUFFERING,^[9] **בְּצָאתָה הַשְׁמָשָׁה בְּגַבְרוֹת –** REGARDING THEM THE VERSE STATES: **BUT THEY WHO LOVE HIM [God] SHALL BE AS THE SUN GOING FORTH IN ITS MIGHT.**^[10] This Baraisa praises one who maintains his silence although he was subjected to personal disgrace. How, then, can R' Shimon ben Yehotzadak insist that a Torah scholar take revenge in such circumstances?

The Gemara answers:

לְשָׁלָם דְקִיטָה לְיהָ בְּלִיבָה – Actually, R' Shimon ben Yehotzadak means only that [a Torah scholar] should keep the matter in his mind, and allow others to avenge his honor. He does not mean that the scholar himself should make any response.^[11]



10. Rav S.R. Hirsch (1808-1888)

V. 2. נקם נקמת גו'. Moses, who had had to bring the people over to the Torah of God built up on chastity and faithfulness is to see, before his death, the battle against the Midianites so necessary for making these two fundamental pillars of his mission secure, for protecting his people against עז' (Licentiousness) and עז' (Idolatry): וְנִקְםֵת גו'. We have already on Gen. IV,15 pointed out the relationship of נקם to קומת. (Cf. Gen. 15; Gen. 16; Gen. 17; Gen. 18; Gen. 19; Gen. 20; Gen. 21; Gen. 22; Gen. 23; Gen. 24; Gen. 25; Gen. 26; Gen. 27; Gen. 28; Gen. 29; Gen. 30; Gen. 31; Gen. 32; Gen. 33; Gen. 34; Gen. 35; Gen. 36; Gen. 37; Gen. 38; Gen. 39; Gen. 40; Gen. 41; Gen. 42; Gen. 43; Gen. 44; Gen. 45; Gen. 46; Gen. 47; Gen. 48; Gen. 49; Gen. 50). It is the re-erection of rights which have been trodden under foot, or a person who has been thrown to the ground. The נוקם identifies himself with the object to be raised up. That probably explains the reflexive form קומת, and also the mode of construing with נקמת בני ישראל נאצ'ת המידיניטים מ. The purpose is not revenge, throwing down of an enemy, that would be construed with ג. The purpose is the re-erection of Israel from the Midianites, its spiritual and moral freeing out of the power of their arts.

15. Then God said concerning him: Therefore, all ye who would kill Cain. Revenge is taken on him sevenfold. Thus God made Cain in-

criminal. And so here, too, Cain could be taken to be a remorseful penitent or the reverse. But another way of taking it is given in the Midrash, רבexplains it as עשה אתה בבעי תשובה as י' יוננו, or עשה אתה בערצנות מ', God made Cain himself into a sign or warning for murderers or penitents. We do find שום construed with ג' in this way once in Sam. I. XXII,7 כבב'ם ישים שרי איפים "make you all to captains of thousands". According to that, here too, it could mean קין גאות וו. But even without this anomaly it could be taken to have such a meaning: "Therefore" — because Cain's condition is such a depressing one — "let everyone who would kill him hear: thus is revenge taken on him sevenfold." Thereby God decreed a striking condition over Cain so that nobody who met him would kill him, for everybody recognised in his distressed condition a greater deterrent sign than his death would be.

9. Midrash

נקמת בני ישראל הקב"ה אמר נקמת בני ישראל ומשה אמר (לקמן פסוך ג) נקמת ה' אמר לו הקב"ה, דין שלכם מתבקש שגורמו ליהוו אתקכם, אמר משה, רבון העולם, אם היינו ערלים או עכירים או כופרים במצוות, לא היו לנו אותנו ולא רודפינו אחרינו, אלא שבשל תורה שותחת לנו, על כן בזקמה שלך היא, על כן אמר נקמת ה' (מדרש) וזה כוונת רשות' במש"כ ל�מן, שהעומד כנגד ישראל, כאילו עומד כנגד הקב"ה.

15. ואמור לו ירזה לבן כל-חזר
כון שבטעמים יקם ונשׂם ירזה לבן
אות לבלהי הבהיר-ארתו כל-מץיאו:

11. Rabbi Yochanan Zweig



There is a significant difference between a response which is defined as punitive and one which is defined as vengeful. The course of action mandated depends upon the nature of the crime. Most crimes are motivated by the perpetrator's perceived benefit in committing the act. The unfortunate victim is only the vehicle for satisfying the needs of the perpetrator. In these cases punitive measures are called for. Vengeance is the appropriate response for an act which is an attack upon the victim's existence; the victim's very being is the focus of the attack. The root of the word "nekama" - "revenge" is "makom" - "place", for its purpose is to restore the violated party's place in existence. This is achieved by eradicating the perpetrator's own place in existence



12. Prime Minister Golda Meir (1898-1978)

Golda Meir – "If you get all of the names on the list, your mission is an incredible success. Get six or five, we will feel the message has been sent that Jewish blood is not cheap, that we will not sit idly by as the world did during the Holocaust. Even if you get only one or two, it will not have been in vain. But if you will be faced with a choice between killing any one on the list together with an innocent bystander or aborting your mission, your instructions are to do nothing."

13. Rav Soloveitchik (1903-1993)

Kol Dodi Dofek



The fifth knock of the Beloved is perhaps the most important. For the first time in the annals of our exile, Divine Providence has amazed our enemies with the astounding discovery that Jewish blood is not cheap! If the antisemites describe this phenomenon as being “an eye for an eye,” we will agree with them. If we want to courageously defend our continued national and historical existence, we must, from time to time, interpret the verse of an “eye for an eye” literally. So many “eyes” were lost in the course of our bitter exile because we did *not* repay hurt for hurt. The time has come for us to fulfill the simple meaning of “an eye for an eye.” (Exodus 21:24) Of course, I am sure everyone recognizes that I am an adherent of the Oral Law, and from my perspective there is no doubt that the verse refers to monetary restitution, as defined by halakhah. However, with respect to the Mufti^D and Nasser,^E I would demand that we interpret the verse in accordance with its literal meaning — the taking of an actual eye! Pay no attention to the saccharine suggestions of known assimilationists and of some Jewish socialists who stand pat in their rebelliousness and think they are still living in Bialystok, Brest-Litovsk, and Minsk of the year 1905,^F and openly declare that revenge is forbidden to the Jewish people in any place, at any time, and under all circumstances. “Vanity of vanities!” (Ecclesiastes 1:2) Revenge is forbidden when it is pointless, but if one is aroused thereby to self-defense, it is the most elementary right of man to take his revenge.

The Torah has always taught that a man is permitted, indeed, has a sacred obligation, to defend himself. With the verse, “If a burglar is caught in the act of breaking in” (Exodus 22:1), the Torah establishes the halakhah that one may defend not only one’s life but his property as well.⁷ If the thief who comes to take the property of the householder is capable of killing the householder (should the householder not comply with his demands), the householder may rise up against the criminal and kill him. For good reason the Torah relates that two of its great heroes, Abraham and Moses, took sword in hand to defend their brethren: “And when Abraham heard that his kinsman was taken captive, he led forth his retainers” (Genesis 14:14). “And when Moses saw the Egyptian smite a Jew . . . he struck down the Egyptian” (Exodus 2:11-12). This behavior does not contradict the prin-

ple of loving-kindness and compassion. On the contrary, a passive position, without self-defense, may sometimes lead to the most awesome brutality. “And I will gain honor from Pharaoh, and all his hosts, his chariots, and his horsemen. And the Egyptians will know that I am the Lord” (Exodus 14:17-18). God did not seek honor and recognition. He wanted Pharaoh, Moses’ contemporary, to know that he must pay a high price for his edict that “Every male child born shall be cast into the river” (Exodus 1:22). His present desire is that the blood of Jewish children who were slain as they recited the eighteen benedictions of the daily [Amidah] prayer shall also be avenged. When God smote the Egyptians, He sought to demonstrate that there will always be accountability for the spilling of Jewish blood. At present, it is necessary not only to convince the dictator of Egypt [Nasser], but the self-righteous Nehru,^G the Foreign Office in London, and the sanctimonious members of the United Nations, that Jewish blood is not cheap. Therefore, how laughable it is when they try to persuade us to rely on the declaration of the three Great Powers guaranteeing the status quo.^H We all know from experience what value can be attached to the pronouncements of the British Foreign Office and the so-called friendship of certain officials in our State Department. In general, how absurd is the request that an entire people be dependent on the kindnesses of others and remain without the ability to defend itself. Public and private honor is dependent upon the possibility of defending one’s life and one’s honor. A people that cannot defend its freedom and tranquility is neither free nor independent. The third of the phrases of Divine redemption is “And I shall redeem you with an outstretched hand and with great judgments” (Exodus 6:6). Thank God we have lived to see the day when, with the help of God, Jews have it within their power to defend themselves.

Let us not forget that the poison of Hitlerite anti-semitism (which made Jews fair game to all) still permeates this generation, which looked with equanimity upon the horrible scene of the suffocation of millions in gas chambers as a normal event that need not be challenged. The antidote for this venom that poisoned minds and dulled hearts is the readiness of the State of Israel to defend the lives of its citizens. Listen! My Beloved Knocks!

14. Rav
Shlomo Chaim
Ha'Cohen
Aviner



Q: Is it ethical to kill a terrorist when it is logical to assume that he will no longer murder?

A: This question can be divided into two parts: 1. From the perspective of reality, how is it possible to be certain that he has stopped murdering? It is impossible to know. 2. Even if we know that he will no longer murder, we must still kill him. But why – isn't this the law of a "rodef" (literally "pursuer" - a case in which one is permitted to kill a pursuer so that the pursued person is saved from harm)? If he is in pursuit, we kill him and if he is not in pursuit, we do not kill him. There are three answers given by halachic authorities:
a. The terrorist is not finished being a "rodef". He is not an "individual rodef" who is angry with a particular person and wants to kill him, he is a "communal rodef" who wants to kill Jews and he does not care which Jews they are. If we capture him, put him in jail, and he is later released, as is the custom – to our great distress – he will continue to murder. The organization of parents of those murdered by terrorists has exact records which state that more than 180 Jews have been murdered by released terrorists who have murdered again. This means that when you free a terrorist with the proper goal of helping Jews, you endanger more Jews. This person is therefore not a one-time "rodef," but a perpetual "rodef."
b. The halachic authorities also say that you should kill him in order that others will see and be frightened. This "rodef" is teaching other "rodefim" through his action. If he kills Jews and when the police approach, he gives up and we have mercy on him, we encourage others to act like him, thus endangering other Jews. Therefore, in situations like these, we must be extremely ethical. The question is, ethical to whom – the "rodef" or others Jews? Answer: to both of them. We must be ethical to the Jews who have done nothing wrong and to him, since if we kill him, we stop him from killing others and lessen his "Gehinom" (punishment in the World to Come). The Mishnah in Sanhedrin (71b) says that the "ben sorer u-moreh" (the rebellious son – see Devarim 21:18-21) is killed on account of his future. While he has done many things wrong, he has not committed a sin for which he is liable for capital punishment, but he is killed so that he will die innocent and not guilty. In our case the terrorist is already liable, but he should die liable and not even more liable. We do not use the concept "he should die innocent and not die guilty" to create new laws, but to explain them.
c. These are halachot of war, and in war, we do not lock up an enemy who is shooting at us, but we fire back at him. This is similar to what King Shaul said to the "Keni" (Shmuel 1 15:6): "Go, depart, go down from among Amalek, lest I destroy you with them." This means, even though you are my friend, if you are there, you could get hurt or killed. In the halachot of war, we do not make such calculations as it says, "The best of the non-Jews should be killed." The Tosafot raised a major difficulty with this statement: how can we say such a thing when according to halachah it is forbidden to kill a non-Jew and all the more so the best of the non-Jews (Tosafot to Avodah Zarah 26b and see Beit Yosef Yoreh Deah 158)? Tosafot explained that this statement refers to a time of war. This non-Jew seems pleasant or, in our case, he killed but he will be pleasant. No, we did not make such calculations in a time of war; even a pleasant-seeming non-Jew is killed.

In sum: we therefore see that killing a terrorist is ethical.

nmm: Shut She'elat Shlomo