

On Zealotry
Rivka Press Schwartz
Torah in Motion
Parshat Pinchas, 5786

1. Bamidbar 25: 6-13

וְהָיָה אִישׁ מִבְּנֵי יִשְׂרָאֵל בָּא וַיִּקְרַב אֶל־אֶחָיו אֶת־הַמְדִינִית לְעֵינֵי מֹשֶׁה וּלְעֵינֵי כָל־עַדְת בְּנֵי־יִשְׂרָאֵל וְהָמָּה בְּכִיִּים פָּתַח אֵהָל מוֹעֵד:

Just then a certain Israelite man came and brought a Midianite woman over to his companions, in the sight of Moses and of the whole Israelite community who were weeping at the entrance of the Tent of Meeting.

וַיֵּרָא פִּינְחָס בֶּן־אֶלְעָזָר בֶּן־אַהֲרֹן הַכֹּהֵן וַיֵּקָם מִתּוֹךְ הָעֵדָה וַיִּקַּח רֶמַח בְּיָדוֹ:

When Phinehas, son of Eleazar son of Aaron the priest, saw this, he left the assembly and, taking a spear in his hand,

וַיָּבֹא אַחֵר אִישׁ־יִשְׂרָאֵל אֶל־הַקְּבֵה וַיִּדְקֹר אֶת־שְׁנֵיהֶם אֶת אִישׁ יִשְׂרָאֵל וְאֶת־הָאִשָּׁה אֶל־קְבֻצָּתָהּ וַתַּעֲצֹר הַמַּגֵּפָה מֵעַל בְּנֵי יִשְׂרָאֵל:

he followed the Israelite man into the chamber and stabbed both of them, the Israelite man and the woman, through the belly. Then the plague against the Israelites was checked.

וַיְהִיו הַמֵּתִים בַּמַּגֵּפָה אַרְבָּעָה וְעֶשְׂרִים אֶלֶף: {פ}

Those who died of the plague numbered twenty-four thousand.

Pinchas

וַיְדַבֵּר יְהוָה אֶל־מֹשֶׁה לֵאמֹר:

GOD spoke to Moses, saying,

פִּינְחָס בֶּן־אֶלְעָזָר בֶּן־אַהֲרֹן הַכֹּהֵן הִשִּׁיב אֶת־חַמְתִּי מֵעַל בְּנֵי־יִשְׂרָאֵל בְּקִנְאוֹ אֶת־קִנְאוֹתִי בְּתוֹכְכֶם וְלֹא־כָלִיתִי אֶת־בְּנֵי־יִשְׂרָאֵל בְּקִנְאוֹתִי:

“Phinehas, son of Eleazar son of Aaron the priest, has turned back My wrath from the Israelites by displaying among them his passion for Me, so that I did not wipe out the Israelite people in My passion.

לְכֵן אֶמַר הַנְּנִי נָתַן לּוֹ אֶת־בְּרִיתִי שְׁלוֹם:

Say, therefore, ‘I grant him My pact of friendship.

וְהָיְתָה לּוֹ וּלְזֶרְעוֹ אַחֲרָיו בְּרִית כְּהֵנָּה עוֹלָם תַּחַת אֲשֶׁר קָנָא לְאַלְהֵיו וַיִּכְפַּר עַל־בְּנֵי יִשְׂרָאֵל:

It shall be for him and his descendants after him a pact of priesthood for all time, because he took impassioned action for his God, thus making expiation for the Israelites.”

2. Talmud Yerushalmi Sanhedrin 9:7

הבועל ארמית. תני רבי ישמעאל. זה שהוא נושא גויה ומוליד בנים ומעמיד אויבים ממנה למקום. כתיב וירא פינחס בן אלעזר בן אהרן הכהן. מה ראה. ראה את המעשה ונזכר להלכה הבועל ארמית הקנאים פוגעין בהן. תני. שלא כרצון חכמים. ופינחס שלא כרצון חכמים. אמר רבי יודה בר פזי. ביקשו לנדותו אילולי שקפצה עליו רוח הקודש ואמרה והיתה לו ולזרעו אחריו ברית כהונת עולם וגו'.

“One who copulates with a Gentile woman,” etc. Rabbi Ismael stated: This is one who marries a Gentile woman, sires children, and from her raises enemies of the Omnipresent. It is written: *Phineas ben Eleazar ben Aharon the priest saw*. What did he see? He understood what happened and remembered practice: “One who copulates with a Gentile woman, zealots strike him.” It was stated: not with the agreement of the Sages. Would Phineas act against the Sages? Rabbi Jehudah bar Pazi said, they wanted to excommunicate him had not the Holy Spirit jumped on him and declared that *an eternal covenant of priesthood shall be for him and his descendants after him*, etc.

3. Talmud Yerushalmi Sanhedrin 10:2

והנה איש מבני ישראל בא ויקרב אל אחיו את המדיינית לעיני משה. מהו לעיני משה. כאינש דמר. הא גו עינה משה. אמר לו. אין צפורה מדיינית ואין טלפיה סדוקות. זו טהורה וזו טמיאה. והיה שם פינחס. אמר. אין כאן אדם שיהרגנו ויהרג על ידיו. איכן הם האריות. גור אריה יהודה. דן גור אריה. בנימן זאב יטרף. כיון שראה פינחס שאין אדם מיישראל עושה כלום. מיד עמד פינחס מתוך סנהדרין שלו ולקח את הרומח בידו ונתן את הברזל תחת פסיקתו שלו.

Behold, a man from the Children of Israel came and introduced to his brothers the Midianite woman, to the eyes of Moses. What means *to the eyes of Moses*? Like a man who says, that is in your eyes, Moses. He told him, is not Zippora a Midianite, and are not her hooves split? This one is pure, that one is impure? There, Phineas was present. He said, is there nobody who would kill him or be killed? Where are the lions? *A lion whelp is Jehudah; Dan is a lion whelp; Benjamin a rapacious wolf*. When Phineas saw that nobody of Israel did anything, he immediately rose from his court, took the spear in his hand, and put its iron under his belt.

4. Talmud Bavli Sanhedrin 81b:

מתני' הגובב את הקסוה, והמקלל בקוסם, והבועל ארמית – קנאין פוגעין בו.

MISHNA: With regard to **one who steals a kasva, and one who curses with a sorcerer, and one who engages in intercourse with an Aramean woman, zealots strike him and kill him**. Although the Torah does not say that one who performs one of these actions

is liable to be executed, it is permitted for anyone who zealously takes the vengeance of the Lord to do so.

5. Talmud Bavli Sanhedrin 82a:

אמר רב חסדא: הבא לימלה, אין מורין לו. איתמר נמי, אמר רבה בר בר חנה אמר רבי יוחנן: הבא לימלה, אין מורין לו.

Rav Hisda says: Concerning **one who comes to consult** with the court when he sees a Jewish man engaging in intercourse with a gentile woman, the court **does not instruct him** that it is permitted to kill the transgressor. **It was also stated that Rabba bar bar Hana says that Rabbi Yoḥanan says:** Concerning **one who comes to consult** with the court, the court **does not instruct him** that it is permitted to kill the Jewish man engaging in intercourse with a gentile woman.

ולא עוד, אלא שאם פירש זמרי והרגו פנחס – נהרג עליו. נהפך זמרי והרגו לפנחס – אין נהרג עליו, שהרי רודף הוא.

Moreover, if Zimri son of Salu (see Numbers 25:1–9) had separated himself from the woman and only then Pinehas killed him, Pinehas would have been executed for killing him, because it is permitted for zealots to kill only while the transgressor is engaged in the act of intercourse. Furthermore, if **Zimri would have turned and killed Pinehas in self-defense, he would not have been executed for killing him, as Pinehas was a pursuer.** One is allowed to kill a pursuer in self-defense, provided that the pursued is not liable to be executed by the court.

...

תפשה בבלוריתה והביאה אצל משה. אמר לו: בן עמרם, זו אסורה או מותרת? ואם תאמר אסורה, בת יתרו מי התירה לה? נתעלמה ממנו הלכה. געו כולם בבכיה, והינו דכתיב: "והמה בכים פתח אהל מועד". וכתוב: "וירא פנחס בן אלעזר".

He seized her by her forelock and brought her before Moses. Zimri said to Moses: Son of Amram, is this woman forbidden or permitted? And if you say that she is forbidden, as for the daughter of Yitro to whom you are married, who permitted her to you? The halakha with regard to the proper course of action when encountering a Jewish man engaging in intercourse with a gentile woman **eluded Moses. All of the members of the Sanhedrin bawled in their weeping, and that is the meaning of that which is written: "And they are crying at the entrance of the Tent of Meeting" (Numbers 25:6). And it is written thereafter: "And Pinehas, son of Elazar, son of Aaron the priest, saw and arose from the midst of the congregation and took a spear in his hand" (Numbers 25:7).**

מה ראה? אמר רב: ראה מעשה ונזכר הלכה. אמר לו: אחי אבי אבא, לא כך לימדתי בך בך מהר סיני: הבועל ארמית קנאין פוגעין בו? אמר לו: קריינא דאיגרתא איהו ליהו! פרוווקא.

The Gemara asks: **What did Pinehas see that led him to arise and take action? Rav says: He saw the incident** taking place before him **and he remembered the halakha. He said to Moses: Brother of the father of my father**, as Moses was the brother of his grandfather Aaron, **did you not teach me this during your descent from Mount Sinai: One who engages in intercourse with a gentile woman, zealots strike him?** Moses said to him: **Let the one who reads the letter be the agent [parvanka] to fulfill its contents.**

וּשְׂמוּאֵל אָמַר: רָאָה שְׂאִין חֲכָמָה וְאִין תְּבוּנָה וְאִין עֵצָה לְנִגְדֵי ה'. כָּל מְקוֹם שֶׁיֵּשׁ חִילוּל הַשֵּׁם, אֵין חוֹלְקִין כְּבוֹד לְרַב. רַבִּי יִצְחָק אָמַר רַבִּי אֱלִיעֶזֶר: רָאָה שָׂבָא מְלֵאךְ וְהִשְׁחִית בְּעַם.

And Shmuel says: Pinehas saw and considered the meaning of the verse: **“There is neither wisdom nor understanding nor counsel against the Lord”** (Proverbs 21:30), which the Sages interpreted to mean: **Anywhere that there is desecration of the Lord’s name, one does not show respect to the teacher.** In those situations, one need not consult his teacher, but must immediately proceed to right the wrong that is transpiring. Therefore, he took the spear and took immediate action. **Rabbi Yitzhak says that Rabbi Eliezer says: He saw that an angel came and destroyed among the people** in punishment for the sin of Zimri, and he realized that he must take immediate action to ameliorate the situation.

6. Rambam, Hilkhoh Isurei Bi'ah (12:4-5)

כָּל הַבוֹעֵל כּוֹתִית בֵּין דֶּרֶךְ חַתָּנוּת בֵּין דֶּרֶךְ זָנוּת אִם בְּעֵלָה בְּפִרְהוּסָא וְהוּא שֶׁיִּבְעַל לְעֵינֵי עֲשָׂרָה מִיִּשְׂרָאֵל אוֹ יֵתֵר אִם פָּגְעוּ בוֹ קְנָאִין וְהִרְגוּהוּ הִרִי אֵלָיו מִשְׁבָּחִין וְזָרִיזִין [ו.] וְדָבַר זֶה הִלְכָה לְמִשְׁהָ מִסִּינֵי הוּא. רָאִיָּה לְדָבַר זֶה מַעֲשֵׂה פִינְחָס בְּזִמְרִי:

Whenever a man has relations with a gentile woman in public, i.e., the relations are carried out in the presence of ten or more Jews, if a zealous person strikes him and kills him, he is considered praiseworthy and ardent. [This applies whether the relations were] in the context of marriage or licentious in nature. This matter is a halachah conveyed to Moshe at Sinai. Support for this can be derived from Pinchas' slaying of Zimri.

וְאִין הַקְּנָאִי רָשָׁאֵי לְפָגַע בְּהֵן אֵלָא בְּשַׁעַת מַעֲשֵׂה כְּזִמְרִי שֶׁנֶּאֱמַר (בַּמִּדְבָּר כֹּה ח) "וְאֵת הָאִשָּׁה אֶל קִבְתָּהּ". אֲבָל אִם פָּרַשׁ אֵין הוֹרְגִין אוֹתוֹ. וְאִם הִרְגוּ נְהָרַג עָלָיו. וְאִם בָּא הַקְּנָאִי לְטַל רְשׁוּת מִבֵּית דִּין לְהִרְגוֹ אֵין מוֹרִין לוֹ וְאִם עַל פִּי שֶׁהוּא בְּשַׁעַת מַעֲשֵׂה. וְלֹא עוֹד אֵלָא אִם בָּא הַקְּנָאִי לְהִרְגֵי אֶת הַבוֹעֵל וְנִשְׁמַט הַבוֹעֵל וְהִרְגַּת הַקְּנָאִי כְּדִי לְהִצִּיל עַצְמוֹ מִיָּדוֹ אֵין הַבוֹעֵל נְהָרַג עָלָיו. וְהָבֵא עַל בֵּת גֵּר תוֹשָׁב אֵין הַקְּנָאִין פּוֹגְעִים בוֹ אֲבָל מִכִּין אוֹתוֹ מִכַּת מִרְדוּת:

The zealous person can strike [the fornicators] only at the time of relations, as was the case with regard to Zimri, as [Numbers 25:8] states: "[He pierced] the woman into her stomach." If, however, [the transgressor] withdraws, he should not be slain. Indeed, if [the zealous person] slays him, he may be executed [as a murderer].

If the zealous person comes to ask permission from the court to slay him, they do not instruct him [to], even if this takes place at the time [of relations]. Not only that, if the zealous

person comes to kill the transgressor and he withdraws and kills the zealous person in order to save himself, the transgressor is not executed for killing him.
When a Jew has relations with the daughter of a resident alien, the zealot may not strike him.
[The transgressor] should, however, be given stripes for rebellious conduct.

7. Melachim Alef 17:1

וַיֹּאמֶר אֵלֵיהֶוּ הַתְּשֻׁבִי מִתְּשֻׁבִי גִלְעָד אֶל־אֲחָאָב חַי־יְהוָה אֱלֹהֵי יִשְׂרָאֵל אֲשֶׁר עִמָּדָתִי לִפְנֵי אִם־יְהִי הַשָּׁנִים
הָאֵלֶּה טַל וּמָטָר כִּי אִם־לִפִּי דַבְּרִי: {ס}

Elijah the Tishbite, an inhabitant of Gilead, said to Ahab, "As the ETERNAL lives, the God of Israel whom I serve, there will be no dew or rain except at my bidding."

8. Bereshit 34: 25-26

וַיְהִי בַיּוֹם הַשְּׁלִישִׁי בְּהִיוֹתָם כֹּאֲבִים וַיִּקְחוּ שְׁנֵי־בְנֵי־יַעֲקֹב שִׁמְעוֹן וְלֵוִי אֲחֵי דִינָה אִישׁ חֶרֶב וַיָּבֹאוּ
עַל־הָעִיר בְּטַח וַיְהַרְגוּ כָּל־זָכָר:

On the third day, when they were in pain, Simeon and Levi, two of Jacob's sons, brothers of Dinah, took each his sword, came upon the city unmolested, and slew all the males.

וְאֶת־חַמּוֹר וְאֶת־שָׁכֶם בְּנוֹ הָרְגוּ לִפְנֵי־חֶרֶב וַיִּקְחוּ אֶת־דִּינָה מִבֵּית שָׁכֶם וַיֵּצְאוּ:

They put Hamor and his son Shechem to the sword, took Dinah out of Shechem's house, and went away.