

What to do with vigilantes?

What do we do with vigilantes? Normally we associate vigilantism with the Wild Wild West or maybe the medieval period. That's the thing about vigilantes. They feel as if they're characters from a bygone era. And the truth is part of what makes us think that is that they represent so much of what is backwards. They are wayward. They harm extrajudicially. They act in a way that goes against so much of what we hold dear in the modern world.

So what do we do with vigilantes? We find ourselves in the Parsha of Pincha this week which begins immediately after the eponymous vigilantism.

Picture the scene, you're the grandson of Aaron the High Priest awaiting what you perceive as the righteous punishment of the Israelites who participated in the wayward act of the Baal Peor. Moses commands all the miscreants to be brought forward to be killed. At that exact moment, one of the tribal chieftains from the tribe of Shimon comes and takes a Midianite woman into the tent of meeting, right in front of your eyes. This is a deep affront to your belief system so you act. You grab a spear, find the couple, and kill them both-End scene.

As we began this week's parsha, we awaited Pinchas's fate. Modern readers might expect condemnation. How dare you take on the role of God?! On the contrary though we read the following:

“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.

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

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.”

Lauded, Pinchas is given a brit shalom, a covenant of peace, which seems like the clearest possible way of praising his actions. So what do we do when our holiest book seems to speak in positive terms about such actions?

While the Torah seems clear about its view of Pinchas, the conversation is much more ambiguous throughout the rabbinic canon. There is certainly a strong voice that continues in the positive direction. The midrash in the Bamidbar Rabbah, picking up on the fact that it says that Pinchas “saw” at the end of last week parshah, reflects that he saw something that others didn’t which was that this act contravened a law on the books; you could not cohabit with a midianite woman.

The Talmud in Masechet Sanhedrin goes even further:

“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.”

So even though it was extrajudicial there are certain cases where one has to act even if it is outside the legal framework. This text goes on to describe that actually six miracles took place when Pinchas performed this act of vigilantism:

“One is that Zimri should have separated himself from Cozbi, and he did not separate himself. Had he done so, it would have been prohibited for Pinehas to kill him. And one is that Zimri should have spoken and alerted the members of his tribe to come to his assistance, and he did not speak. And one is

that Pinehas directed the spear precisely to the male genitals of Zimri and to the female genitals of Cozbi so that the reason that he killed them would be evident. And one is that Zimri and Cozbi did not fall from the spear. And one is that an angel came and raised the lintel of that chamber so that Pinehas could emerge holding them aloft on the spear. And one is that an angel came and caused destruction among the people, distracting them from interfering with the actions of Pinehas.”

It may not shock you though that there is just as strong a voice condemning Pinchas as there is praising him.

That same Talmud rules that if Zimri had turned and killed Pinchas in self-defense, he would be declared innocent in a court of law. Second, it rules that if Pinchas had killed Zimri and Cozbi just before or after they were engaged in cohabitation, he would have been guilty of murder. Third, had Pinchas consulted a Bet Din and asked whether he was permitted to do what he was proposing to do, the answer would have been, No. This is one of the rare cases where we say *Halachah ve-ein morin kein*: “It is the law, but we do not make it known.”

A parallel text in the Yerushalmi goes further:

It is written: "And Pinchas, the son of Elazar, the son of Aharon the priest, saw it" (*Bamidbar* 25:7). What did he see? He saw the act and remembered the law, namely, that if a man cohabits with an Aramean woman he is struck down by zealots. It was taught: Without the approval of the Sages. Did Pinchas act without the approval of the Sages? Rabbi Yehuda bar Pazi said: They wanted to place him under the ban, had the holy spirit not jumped upon him, saying: "And he shall have it, and his seed after him, the covenant of an everlasting priesthood, etc." (*Yerushalmi, Sanhedrin* 48b)

In contrast to the Midrash, the *Yerushalmi* raises the possibility that Pinchas acted without the approval of the Sages, to the point that had God not endorsed his action, he would have been liable to be placed under a ban.

I bring this back and forth to you because the case of Pinchas is admittedly hard to understand. There is a part of me that sees his actions positively. Two people come together to perform a wanton act of lust in public and in the face of God. Shouldn't they be stopped? And also I find myself sickened by his actions. Isn't he playing God at this moment?

This particular act of vigilantism is hard to square. Yet we know there have been recent acts of vigilantism in Israel that are less so. Now I want to be clear that this is not a d'var torah of equivocation. Of course the terrorist attacks perpetrated by Hamas, Islamic Jihad, and the like are reprehensible. There are lawful actions that can and should continue to be taken within the Israeli legal system to protect her citizens. .

Yet I am not Palestinian nor am I an Imam. So as a Jewish clergy person, when I see what happened in Turmus Aya this week when one Palestinian died on Wednesday and at least three were wounded by live fire as Israeli settlers attacked the West Bank village and nearly 60 vehicles and 30 houses were set on fire, I can't help but shake my head.

Widely condemned in the highest levels of government, I can't help but wonder how others in that same government fan and incite the fury that pushed this sense of vigilantism in the first place. And how the lack of accountability from what happened months ago in Huwara perhaps led to a more brazen attempt here.

That's the thing about vigilantism. It's almost always fueled by indignation. More often than not that indignation is righteous. People have been wronged. People have been hurt. People commit acts that are an affront to one's God, one's people, and one's nation...but it is not our role in life to play God.

So I worry about what this means for the fabric of Israeli society and the people that commit these acts. In doing so I turn back to an important framework from the Torah itself. The very fact that he receives a covenant of peace is in the words of Rabbi Aharon Liechtenstein, famed Rosh Yeshiva at

the Gush, indicative "there is a danger that something within him has changed; something of his sensitivity has been impaired."

People that perform acts of vigilantism create a moral rot within themselves. Left unchecked, their damage is permanent, externally and internally. You can't act this way and not have it affect you. That I think is also why the vav in the word shalom has a strike through it in the text.

There are conversations around how to write this vav. One that is especially meaningful in the context of this dvar torah comes from the Radbaz, Rabbi David ibn Zimra of the 15th and 16th centuries. His suggestion was one should draw a regular vav but there should be a break the size of a very, very, very thin line, the size of a hair—a break so small that it does not technically invalidate the Torah. This break should be on a diagonal through the bottom half of the vav. In this manner, the vav should be both –devukah vegam chatucha -- connected and broken at the same time.

Broken and connected. Almost an oxymoron but it also makes sense here. People who act like this, those in Pinchas' time and those in our time are connected to us. We're sheep from the same shepherd. We are bnai yisrael after all so it's important that we speak up, especially when it's Israel.

And also, their actions are so broken. As the Talmud discusses the invalidation of a priest's service when we find out he is blemished from this very verse, it states: "Behold, I give to him My covenant of peace [*shalom*]" (Numbers 25:12), which means that he receives the covenant when he is whole [*shalem*], but not when he is blemished."

Acts of wanton violence and vigilantism leave the whole world broken. Bringing violence into the world will never lead to peace. Not in the wild wild west. Not in the Torah. And not now. So what do we do vigilantism? We fight it with every fiber of our being. May we all merit to make a world in which such acts are never perpetrated again.

Shabbat Shalom

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