

How to stop a plague: Balak 5780

Previous Pandemic Waves:	
Numbers 14:35, 17:11	
Psalms 106:28-30	
They attached themselves to Baal Peor, ate sacrifices offered to the dead.  They provoked anger by their deeds, and a plague broke out among them.	וַיּצֶּמְדוּ לְבַעַל פְּעָוֹר וַיּאֹכְלוּ זְבְחֵי מֵתִים: וַיּּכְעִיסוּ בְּמַעַלְלִיהָם וַתִּפְרָץ־בָּׁם מַגּפֶה: וַיִּעֲמָד בֻּינְחָס וַיְפַלֵּל וֹתֵּעָצַׁר המַגּפֵה::
Phinehas stepped forth and intervened, and the plague ceased.	
Bamidbar Rabbah 21:23	
Because of the calf about three thousand fell, but here (according to	<u>במדבר כה, ד</u> :(וַיּאמֶר ה' אָל משֶׁה קַח אֶת כֶּל)
Numb. 25:9) [the number fallen is] twenty-four thousand." (Numb. 25:4) "[] Take all the heads of the people, and impale them [before the Lord in the sun]." R. Judan said, "He hanged the heads of the people, because they had not protested about the people."	רָאשֵׁי הָעָם וְהוֹקֵע אֹתָם, רַבִּי יוּדָן אָמֵר רָאשֵׁי הָעָם תָּלָה עַל שֶׁלֹא מִיחוּ בַּבְנֵי אָדָם.
Sanhedrin 35a:2	סנהדרין ל״ה א:ב׳
The Gemara discusses the incident of the Israelites who worshipped the idol of Peor in the wilderness. And it is written: "And the Lord said unto Moses: Take all the chiefs of the people, and hang them unto the Lord facing the sun, that the fierce anger of the Lord may turn away from Israel" (Numbers 25:4). The Gemara asks: If the nation transgressed, in what manner did the chiefs of the people transgress? The verse does not record a transgression of the chiefs, so why were they punished?	וכתיב) <u>במדבר כה, ד</u> (ויאמר ה' אל משה קח את כל ראשי העם אם העם חטאו ראשי העם מה חטאו מה חטאו אמר רב יהודה אמר רב אמר לו הקב"ה למשה חלק להם בתי דינין מ"ט אילימא משום שאין דנין שנים ביום אחד והאמר רב חסדא לא שנו אלא בשתי מיתות אבל במיתה אחת
Rav Yehuda says that Rav says: The reason for selecting the chiefs of the tribes was not to punish them. Rather, the Holy One, Blessed be He, said to Moses: Apportion courts for the chiefs of the tribes, and each court will judge and punish the transgressors of its tribe. The Gemara asks: What is the reason that multiple courts were needed for this? If we say that it is due to the principle that a court does not judge two cases of capital law in one day, and there were many cases to be judged, that cannot be the reason. But doesn't Rav Ḥisda say: This principle was taught only with regard to two different types of death imposed by a court, as each case needs sufficient time to be fully investigated on its own merits. But the court does judge multiple cases of one type of death, i.e., one transgression, on the same day.  The Gemara explains: Rather, the reason for the appointment of	אלא כדי שישוב חרון אף מישראל:
multiple courts was in order that the fierce anger of the Lord may turn away from Israel.	





# 1. Mishnah\_Sanhedrin.9.6

(6) One who steals a *kasvah* [a vessel for use in the Temple]; one who curses [God] by enchantment; and one who sleeps with an Aramean woman—zealots may attack him. A priest who served while ritually impure, his fellow priests do not bring him to the court. Rather, the young priests take him outside the Temple courtyard, and split his skull with logs.

#### משנה סנהדרין ט

)ו (הגונב את הקסוה, והמקלל בקוסם, והבועל ארמית, קנאין פוגעין בו. כהן ששמש בטמאה, אין אחיו הכהנים מביאין אותו לבית דין, אלא פרחי כהנה מוציאין אותו חוץ לעזרה ומפציעין את מוחו בגזרין.

## 2. Bavli Sanhedrin 82a

R. Hisda said: If the zealot comes to take counsel [whether to punish the transgressors enumerated in the Mishnah], we do not instruct him to do so.

It has been stated likewise: Rabbah b. Bar Hana said in R. Johanan's name: If he comes to take counsel, we do not instruct him to do so. What is more, had Zimri forsaken his mistress and Phinehas slain him, Phinehas would have been executed on his account;<sup>22</sup> and had Zimri turned upon Phinehas and slain him, he would not have been executed, since Phinehas was a pursuer [seeking to take his life]....

And it is also written, And Phineas, the son of Eleazar, the son of Aaron the priest, saw it. 26 Now, what did he see? —

Rab said: He saw what was happening and remembered the *halachah*, and said to him, 'O great-uncle! did you not teach us this on thy descent from Mount Sinai: He who cohabits with a heathen woman is punished by zealots?' He replied. 'He who reads the letter, let him be the agent [to carry out its instructions]'.

Samuel said: He saw that 'There is no wisdom nor understanding nor counsel against the Lord': whenever the Divine Name is being profaned, honour must not be paid to one's teacher. R. Isaac said in R. Eleazar's name: He saw the angel wreaking destruction amongst the people.

R. Eleazar said: [wa-yispallel] [he prayed] is not written, but wa-yefallel, as though he argued with his maker [on the justice of punishing so many]. Thereupon the ministering angels wished to repulse him, but He said to them, 'Let him be, for he is a zealot and the descendant of a zealot; a turner away of wrath and the son of a turner away of wrath.

He seized her by her forelock and brought her before Moses. Zimri said to Moses: Son of Amram, is this woman forbidden

## <u>תלמוד סנהדרין פב ע"א</u>

אמר רב חסדא: הבא לימלך - אין מורין לו. איתמר נמי, אמר רבה בר בר חנה אמר רבי יוחנן: הבא לימלך - אין מורין לו. ולא עוד אלא, שאם פירש זמרי והרגו פנחס -נהרג עליו. נהפך זמרי והרגו לפנחס - אין נהרג עליו, שהרי רודף הוא. ...

וכתיב, וירא פנחס בן אלעזר, מה ראה? – אמר רב: ראה מעשה, ונזכר הלכה. אמר לו: אחי אבי אבא, לא כך לימדתני ברדתך מהר סיני: הבועל את הנכרית קנאין פוגעין בו! - אמר לו: קריינא דאיגרתא איהו ליהוי פרוונקא.

ושמואל אמר: ראה שאין חכמה ואין תבונה ואין עצה לנגד ה' - כל מקום שיש חילול השם - אין חולקין כבוד לרב.

רבי יצחק אמר רבי אליעזר: ראה שבא מלאך והשחית בעם. ...

[פב ע"ב] בקשו מלאכי השרת לדחפו, אמר להן: הניחו לו, קנאי בן קנאי הוא, משיב חימה בן משיב חימה הוא.

<u>רש"י מסכת סנהדרין דף פב עמוד ב</u> בן קנאי - משבט לוי שקינא במעשה דינה דכתיב (בראשית לד) הכזונה יעשה את אחותנו.

Rashi ad loc—Son of zealot—from the tribe of Levi that was zealous about Dina as it is written (Gen. 34) Shall our sister be treated like prostitute?

תפשה בבלוריתה והביאה אצל משה אמר לו בן עמרם זו אסורה או מותרת ואם תאמר





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).

אסורה בת יתרו מי התירה לך נתעלמה ממנו <u>במדבר</u>) הלכה געו כולם בבכיה והיינו דכתיב והמה בוכים פתח אהל מועד וכתיב (<u>כה, ו</u> וירא פנחס בן אלעזר (<u>במדבר כה, ז</u>)

## 3. Jerusalem\_Talmud\_Sanhedrin.48b.3 [trans. MHK]

It is written "Pinhas ben Elazar ben Aharon the Priest saw" (Num. 25:7) What did he see?

He saw the act and remembered the law: "whoever has sex with an Aramean, zealots attack them."

It is taught in a baraita: "against the will of the Sages" Pinhas acted against the will of the sages?

Rabbi Judah ben Pazi said "They sought to excommunicate him, had not the Divine Spirit jumped upon them and said "It shall be for him and his descendants after him a pact of priesthood for all time."

## ירושלמי סנהדרין 9:6

כתיב וירא פינחס בן אלעזר בן אהרן הכהן מה ראה ראה את המעשה ונזכר להלכה הבועל ארמית הקנאים פוגעין בהן. תני שלא ברצון חכמים. ופינחס שלא ברצון חכמים א"ר יודה בר פזי ביקשו לנדותו אילולי שקפצה עליו רוח הקודש ואמרה והיתה לו ולזרעו אחריו ברית כהונת עולם וגומר .

#### 4. Shulchan Arukh, Choshen Mishpat. 425.4

Someone was pursuing after a prohibited woman, and others were pursuing him to save her. If she said "Leave him alone, so that he does not kill me," we do not heed her. Instead, we run after him and prevent him by way of disabling. If disabling is impossible or ineffective, even by killing him. **Remah gloss:** Whoever has intercourse with a non-Jew in the presence of 10 Jews, zealots attack him, and they are permitted to kill him. Only during the act itself, but once he has desisted, it is prohibited to kill him. And only if they warn him, and he does not desist. And only if the zealot initiates independently, but if he consults with the court, it is not permitted.

### שולחן ערוך חושן משפט תכה ד

רדף אחר ערוה ואחרים היו רודפים אחריו להצילה ואמרה להם הניחוהו כדי שלא יהרגני אין שומעין לה אלא מבהילין אותו ומונעין אותו ע"י הכאת אבריו ואם אינם יכולים באבריו אפילו בנפשו :הגה: הבא על העכו"ם בפרהסיא לעיני י' ישראלים קנאין פוגעין בו ומותרין להרגו ודוקא בשעת מעשה אבל אם פירש אסור להרגו ודווקא שהתרו בו ולא פירש ודוקא שבא הקנאי להורגו מעצמו אבל אם שאל לבית דין אין מורים לו כך:

# 5. Sefer Me'irat Enayim 1

And it is surprising that Rav Yosef Karo of blessed memory excluded this law.

# <u>סמ"ע סימן תכה ס"ק יד</u>

ומהתימה שהשמיטו מור"ם ז"ל.

## Sanhedrin 82b

(25:13)

Pinehas came and slammed them on the ground before the Omnipresent and said before Him: Master of the Universe, will twenty-four thousand of the children of Israel fall due to these sinners? As it is stated: "And those that died in the plague were twenty-four thousand" (Numbers 25:9). And that

## <u>סנהדרין פב ע"ב</u>

בא וחבטן לפני המקום אמר לפניו רבש"ע על אלו יפלו כ"ד אלף מישראל שנאמר) <u>במדבר</u> <u>כה, ט</u> (ויהיו המתים במגפה ארבעה ועשרים אלף והיינו דכתיב) <u>תהלים קו, ל</u> (ויעמד פנחס ויפלל

<sup>&</sup>lt;sup>1</sup> Rav Joshua Falk on the Shulkhan Aruch (ad loc) (16<sup>th</sup> century Poland)





is the meaning of that which is written: "And Pinehas stood and wrought judgment and the plague was stayed" (Psalms 106:30).

Rabbi Elazar says: It is not stated in the verse: And prayed [vayitpallel]; rather, it is stated vayefalel. This teaches that Pinehas, as it were, wrought judgment [pelilut] with his Creator. The ministering angels sought to push him away because he spoke harshly to God. The Holy One, Blessed be He, said to them: Leave him be; he is a zealot, son of a zealot, from the tribe of Levi, who was zealous in avenging the violation of his sister Dinah; he is an alleviator of wrath, son of an alleviator of wrath, a descendant of Aaron, who alleviated the wrath of God during the plague that followed the assembly of Korah.

אמר רבי אלעזר ויתפלל לא נאמר אלא ויפלל מלמד כביכול שעשה פלילות עם קונו בקשו מלאכי השרת לדחפו אמר להן הניחו לו קנאי בן קנאי הוא משיב חימה בן משיב חימה הוא

