

Why the Rabbis Were Afraid of Pinchas



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Between meetings, a mid-career Modern Orthodox professional scrolls his phone and stops on a video. A man is being filmed, shamed, and cornered in a parking lot by strangers who have decided his transgression deserves public punishment. The professional feels the small satisfaction of watching someone appear to get what they deserve, and underneath that satisfaction a quieter voice asks whose hands are doing the deciding. The comments beneath the video invoke Pinchas by name, and the professional recognizes the reference.

That comment thread is reaching into the opening of this week's Parshat Pinchas, where God rewards Pinchas with the covenant of peace for an act that looks, to any reader who has watched Western democracies struggle with political violence, unmistakably like vigilantism. Pinchas is asked to witness the Israelite camp's moral collapse and answers by taking a spear and striking. Moshe and the assembly are asked to witness the same collapse and answer with weeping at the entrance of the Tent of Meeting. The professional scrolling his feed is asked to witness a modern public confrontation and must decide which of those two responses his own impulse most closely mirrors.

The honest reading begins with two facts, not a resolution. God rewards Pinchas, and the rabbis spend the next 2,000 years building fences around him so that reward could never become a license. The act that earned the covenant of peace is four verses long in the Torah's own telling, and reading those four verses honestly is where the question has to start.

1. What Pinchas Actually Did

The Torah reports Pinchas's act in four verses. Bamidbar 25:6-9 records that Zimri brings Cozbi into the Israelite camp before Moshe and the weeping community, and that Pinchas rises from the assembly, takes a spear, follows them into the tent, and strikes them both in a single thrust. In the same verse, the plague that had killed 24,000 Israelites stops. The sparseness without consultation or verbal warning is where the rabbinic tradition will later build its fences.

The four verses name who the actors were as well as what they did. Rashi identifies Zimri as a prince of the Simeonites, and the Torah itself names Cozbi as the daughter of Tzur, a chieftain of Midian. The Torah ordinarily names the wicked in order to shame them by name, and Rashi draws attention to the pattern to underscore that the transgression was a public challenge carried out by the most visible families on both sides of the Israelite encampment at the peak of the plague.

In their 1968 research on bystander intervention, the social psychologists John Darley and Bibb Latané documented the kind of collective paralysis the weeping community displays in the Torah's own portrait. Their experiments showed that witnesses who privately disapprove become measurably less likely to act as the number of other witnesses grows. The combination of public rank among the transgressors and communal paralysis in the congregation makes Pinchas's response textually intelligible without making it procedurally sound for anyone coming afterward.

The Torah tells us what Pinchas did and never reports what was in his heart before he struck. The narrative supplies no description of his deliberation, no record of the words he rehearsed on the way out of the assembly, and no account of whether he hesitated at the threshold of the tent. Rabbi David Fohrman's method—reading the Torah's narrative silences as deliberate instructions to the reader—frames the omission here as the rabbinic tradition's first move rather than an incidental gap. The silence is where the Sages will build their fencing outward, because any later invocation of Pinchas has to claim a certainty of motive the Torah refuses to confirm about Pinchas himself.

2. The Rabbinic Fence

The Sages begin their work in [Sanhedrin 82a](#), and the opening page of their treatment of Pinchas preserves two rulings that together do most of the fencing. The first ruling holds that a zealot who strikes a cohabiting couple in the act is not punished by the court, which sounds like an endorsement of the Torah's verdict. The second ruling runs the opposite way, holding that had the zealot come to the court beforehand, the court would not have permitted the strike. That second ruling is the decisive one, because it converts the Torah's retrospective approval of Pinchas into a prospective prohibition on anyone who would invoke him in advance.

A second restriction in the same tractate reverses the zealot's legal standing. Had the transgressor turned and killed the would-be zealot first, that transgressor would have been exonerated under the Talmudic reading of the law of the pursuer, which means the tradition is willing to treat even the Torah-approved zealot as a legally pursuable threat from the victim's perspective. Prof. Chaim Saiman describes halacha as a [legal system that fences what it cannot forbid](#), using procedure in place of categorical prohibition. The Pinchas case is one of the cleaner examples of the method, because the Sages keep the Torah's approval intact while making the act practically inaccessible.

Rambam codifies these Talmudic restrictions as binding law. His ruling [requires that the transgression be public](#), witnessed, and ongoing at the moment of the strike. The codification closes what the Talmud opened, because once the restrictions are binding the zealot cannot appeal past them to the Torah's original verse.

The [Stanford Encyclopedia of Philosophy entry on the rule of law](#) names the same principle in secular language, holding that even morally accurate private judgment must be subordinated to institutional process, because the alternative is that anyone who believes himself correct becomes the law. Rambam's halachic fence and the secular rule-of-law principle converge on the same insight, which is that the zealot's private conviction cannot become a public authorization. The procedural fence handles the legal question of what a zealot may do and leaves untouched the theological question of what even a successful act of zealotry costs the zealot.

3. The Broken Covenant of Peace

The Torah opens the next chapter at Bamidbar 25:12 by granting Pinchas a covenant of peace for what he has done. The Masoretic scribal tradition preserves a detail that every kosher Torah scroll still carries at this verse, which is that the letter *vav* in the word *shalom* is written broken. The convention is rare enough that the tradition treats the broken letter as a deliberate marker rather than a copying error that survived generations of scribes. The reward that the Torah names is real, and the visible fracture in the letter that names the reward is also real, and the commentators read both at once rather than treating either detail as incidental.

Rabbi Ephraim Buchwald gathers the readings of a line of classical commentators on the broken *vav*, including Rabbi Shlomo Yosef Zevin, Rabbi Yehuda Leib Eiger of Lublin, and Nachmanides. Their shared move is to read the peace given to Pinchas as not whole, because a person who has taken human life, even in a cause the Torah itself endorses, does not emerge from the deed unchanged. The reading belongs to the line of commentators rather than to the verse itself, and it converts the reward from a simple commendation into an acknowledgment that the act leaves its imprint on the person who performed the deed.

Jonathan Shay's *Achilles in Vietnam* emerged from his clinical work with American combat veterans. The book names the pattern the classical commentators had already marked as moral injury, a wound specific to people who have committed or witnessed violence that crossed a moral line even when the act was required. The convergence runs from the classical reading to the clinical category rather than the other direction, because the scribal tradition and its commentators had named the pattern centuries before Shay's diagnostic work arrived at the same shape.

Previous *18Forty Podcast* guest Mark Moskowitz testifies from his own work of rebuilding a religious life after a serious public failing. He names the daily accounting, the liturgy of teshuva, and the witness of a community that keeps showing up as the work the tradition asks of a person carrying a moral wound rather than as a question about whether the underlying act was justified. The tradition does not pretend the deed was free, and if the man who performed it still paid, the reader who is tempted to invoke his name should examine the impulse that produced the invocation.

4. Why Zealotry Is Usually a Mirror

The Talmud in Kiddushin 70a preserves the general rabbinic principle *kol haposel b'mumo posei*, which states that the person who disqualifies another does so by the very fault he himself carries. The formula is not a one-off remark, because the Talmud invokes it across several halachic settings in which testimony, accusation, or public disqualification is at issue. The principle functions as the tradition's own diagnostic on the psychology of the accuser, offered in the language of legal disqualification rather than the language of therapy, and it arrives at a claim about human judgment that predates every modern account of projection by many centuries.

Rabbi Abraham Twerski, in his *Jewish Action* essay "Mirror Image," draws the Baal Shem Tov's teaching that the faults a person sees most clearly in others are usually the faults he himself carries, and Rabbi Twerski connects the teaching explicitly to the modern psychological concept of projection. The move that Rabbi Twerski makes is that the Hasidic reading and the clinical concept arrive at the same observation about the accuser, which is that the accuser's certainty often tells the reader more about the accuser than about the accused. Rav Judah Mischel frames honest self-examination not as a reflex of humility but as the condition the Hasidic tradition imposes on anyone preparing to render moral judgment on someone else's conduct. The two readings together take the Talmudic principle out of its narrow halachic setting and place it on the reader who is tempted to act as a zealot.

Jonathan Haidt's *The Righteous Mind* documents the same pattern from an empirical direction, finding that public moral judgments are produced by intuitive and often self-serving processes and that the reasoning which follows is typically post-hoc work defending a verdict the person reached before the deliberation began. The convergence with the Talmudic principle and the Hasidic amplification is not proof that the classical reading is correct, because empirical psychology and halachic diagnostics answer to different standards. Still, the three traditions arrive at the same demand of the accuser, which is that he examine himself first before he accuses.

The reader who is tempted to invoke Pinchas is therefore being asked by the Talmudic, the Hasidic, and the empirical traditions to perform the same examination of his own impulse before acting on the accusation. Honest self-examination is a necessary condition rather than a sufficient one. The reader who has done the work of self-examination still needs a practical test for whether a specific moment of moral urgency is the moment the tradition permits action.

5. What to Take from Pinchas

The cost of reading Pinchas as a template rather than as an exception is visible in recent Jewish history. Ami Pedahzur and Arie Perliger, in *Jewish Terrorism in Israel*, document that Baruch Goldstein in 1994 and Yigal Amir in 1995 both invoked the language of zealotry, and in Amir's case the halachic category of *din rodef*, as justification for their acts. Mainstream rabbinic authorities rejected both invocations categorically, and the grounds were not political discomfort but the halachic conditions the Sages and Rambam had already built around the zealot's act.

Neither Goldstein's attack nor Amir's assassination satisfied any of the conditions the category requires, which include public and ongoing transgression witnessed at the moment of the strike, the self-defense exposure that allows the accused to kill the zealot, and the prospective rule that refuses authorization to any zealot who seeks it from the court. The documented record therefore runs in the same direction as the argument this piece has been building. Every modern invocation of Pinchas has failed the fence the tradition built around him, and the failure has had victims.

Rabbi Jonathan Sacks reads the deeper trajectory of the Pinchas narrative as the Torah's move from private moral certainty to communal institutional judgment. Rabbi Sacks's claim is that private certainty can generate the strike but cannot build the just public order a people needs, and that institutional deliberation is the form in which a nation's moral life has to take shape rather than remaining in individual hands. Rabbi Sacks names this not as a dismissal of Pinchas's act but as a reading of the Torah's own arc, because the books after Bamidbar 25 construct the legal architecture of judges, priests, and courts that replaces the need for any subsequent zealot to take matters into his own hands. The fence the Sages built around Pinchas therefore follows the Torah's own direction of travel rather than diverging from it, and the reader who is drawn to the spear is being asked to read past the chapter he is quoting and into the legal architecture that follows.

The Torah supplies the practical test in its own legal architecture. In Devarim 17:8-11, the Torah commands that hard cases of law and of blood be brought before the priests and the judge of that generation, and that the people act on the ruling the court issues. The Torah does not locate hard cases in private hands, which means any modern claim to act as Pinchas did is already being asked by the Torah's own judicial commandment to pass through the court the Torah itself establishes.

Rav Mosheh Lichtenstein argues that the Torah does not romanticize raw force, and that the posture the tradition commends is the restraint that the would-be zealot by definition cannot sustain. The practical question the article has been building toward is therefore available as a single test the reader can apply to his own moment of moral urgency. Would a rabbinic court authorize this act in advance, and would the reader accept the court's ruling if the court refused?

An act that cannot survive that question belongs to the category the halacha has already closed, and the Torah's own judicial architecture rather than a private verdict is where moral urgency belongs. The reward the Torah gave Pinchas remains real, and the fence the tradition built around the reward is how the tradition has kept the reward from becoming a license for two thousand years. The questions that follow ask the reader to apply the test directly to a moment of moral urgency he can name in his own life.

Questions for Reflection

- 1. When was the last time you acted on a moral conviction without consulting anyone beforehand, and would you defend the omission if the question were asked of you today?**
- 2. Have you confused the absence of a visible consequence with the absence of a real cost, in an action you still feel was right?**
- 3. When you name the public moral failing you react to most sharply, would an honest account of your own life surface the same failing in your own conduct?**

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