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Yeshivat Ateret Yerushalayim

IN THE HEART OF THE OLD CITY OF JERUSALEM

Ha-Rav Shlomo Aviner on...

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The Murderer of Yitzchak Rabin

On the twelfth yahrtzeit of Prime Minister Yitzchak Rabin, when there has been much discussion about the fate of the murderer, we present what Rav Aviner said in the yeshiva today.

Question: What is the law regarding the murderer of Yitzchak Rabin?

Answer: He should have been killed a long time ago. But there is no Sanhedrin? The Shulchan Aruch rules in the name of the Teshuvot Ha-Rashba that a Jewish court can give capital punishment as a temporary measure without the Sanhedrin (Choshen Mishpat 2:1). There is a major difference between murdering an individual person and murdering a person who represents Klal Yisrael (the entirety of Israel). Murdering the Prime Minister is not only murdering an individual person, it is murdering the State. He thought the Prime Minister was committing an atrocity. So what if we disagree with what he is doing? We often disagree, but we do not murder. Someone who murders the Prime Minister should therefore be killed (Rav Aviner added that there are many questions about the whole assassination, and perhaps there is more than one person responsible). When the King of France was assassinated, they took one of the assassin's legs and tied it to a horse and took the other leg and tied it to another horse, and had the horses run in different directions,

so that everyone would see. They would do the same thing in the United States. They made a special law when Eichman was captured in order to kill him. Before that, there was no capital punishment. Our Rabbi, Ha-Rav Tzvi Yehudah Ha-Cohain Kook, said that it would have been appropriate to lay down Eichman, on the ground and all of Israel step on him and trample him. The Rambam (Hilchot Sanhedrin 24:4) writes that a Beit Din can kill someone as a temporary measure so that everyone will see and act properly. King David killed the young man who told him that he murdered King Shaul. King David killed him without a Sanhedrin, without witnesses, without warning, without anything (Shmuel 2 chapter 1). The Rambam says that it was a temporary measure. The young man did not do anything, he only said he did it. Yoav ben Tzeruya was the first to murder for political reasons. He killed Avner ben Ner, Avshalom and others. Why did he murder them? He thought they were dangerous. Some say that Rabin was murdered by a pistol. Others say that he was murdered by words. Still others say that he was murdered by thoughts. It is a pyramid. First, you hate in your thoughts, then you speak about him and dehumanize him and lastly you murder him. It is the exact same thing as the Nazis did. Are you going to murder everyone who you think is dangerous? The Prime Minister is dangerous, so you'll murder him. The majority of the Government is in favor, so you'll have to kill them. The majority of the Nation is in favor, so you'll have to murder them. Then you'll even have to murder yourself, since you are dangerous to everyone else!

In a dictatorship there is a logic to assassination. There is no other way to change things. In a democracy, there are other ways: voting, dissolving the Knesset or a mass rally of millions of people which will make the Government collapse.

Please do not murder.

Questions at the end of the talk

Question: Who would be responsible for carrying out the capital punishment?

Answer: The court, not just an ordinary person. What do you want to have a lynch? There was once a terrorist attack, and a Sefardic Jew was almost lynched. A Jew,

who recently made aliyah from an Arab county and did not know Hebrew, happened to be there. They thought he did it and they almost killed him. In the United States, someone once stole something, people lynched someone and it turned out to be the wrong person. Why did you lynch him? He had a strange look on his face.

Question: Can you hate Rabin for what he did?

Answer: No, we do not agree with what he did, but we do not need to hate him. You need someone to hate. Okay, I'll give you someone. Vanunu. You can hate him. Fine, we fulfilled our obligation to hate.

Question: What is Ha-Rav's opinion about granting clemency to Yigal Amir, since Arab terrorists are freed by the Government? Shouldn't they be merciful to a Jew like they are to the Arabs?

A: Freeing Arabs is wrong, but there is a logic – to exchange for Jewish captives. Freeing Yigal Amir has no logic.