

SIDRA OF THE WEEK : מסעי

1. The beginning of this Sidra has a connexion with the end of the previous one: the people of the Tribes of Gad and Re'uven had been granted their request and, together with some of the Tribe of Menasheh, had been given the land of Transjordan as their portion of the Land. Now, just prior to the rest of the Jewish People likewise taking possession of the Holy Land, the Torah lists the journeys and stations of the People on their travels from Egypt. The actual localities of the named places in this list are mostly unknown to us today with any certainty, but our Chachommim, of blessed memory, point out for us the lessons that we are to derive from the names of these places (especially as many of these places are called by different names elsewhere in the Torah) and they tell us that the specific names are given so that the events that occurred in these places should be remembered — with their lessons. Indeed, as if to underline this point, the Torah gives some places names which recall events that occurred rather than their own known names, for it is not so much the actual places which are important as much as what happened there.

2. It was in the Plains of Mo'av, on the banks of the River Yardayn, facing opposite the town of Yericho that HaShem commanded Mosheh our Teacher to tell us how we are to re-possess the Holy Land of our Forefathers. Right at the outset, we are warned yet again (for we had been commanded this a number of times previously) that we must get rid of all forms of idol worship in the Holy Land. All kinds of monuments to idol worship that the inhabitants had erected in our absence must be destroyed as soon as we return to our inheritance: the influence of any alien cults must be totally eradicated from the Holy Land of Eretz Yisroel, says HaShem. The Torah warns that if we do not cleanse the Holy Land from its pagans and their influence, then those that remain will eventually impose themselves upon us and will oppress us. Gradually, their abominable ways will corrupt us, too, and, because we did not heed HaShem's warning, we will bring down His anger upon our own heads.

3. A great number of Mitzvos apply only in Eretz Yisroel and for this reason the Torah describes the limits of the Holy Land and its borders. The Sidra also lists the names of the representative Princes of each Tribe, each one to act as trustee for his people and to apportion to each family its fair parcel of land as and when it became available for repossession and settlement, all as directed by HaShem.

4. The Tribe of Levi, however, was not given its own portion in the Land like the other Tribes received, just as commanded by HaShem. Instead, forty eight cities throughout Eretz Yisroel are to be given to the people of the Tribe of Levi from the other Tribes, each

SIDRA OF THE WEEK : מסעי

Tribe setting aside a number of cities proportional to the size of the territory that it received and also depending on its proximity to other Levite Cities, and with each of the Levites' Cities was a "green belt" all round.

5. All the forty-eight cities of the Levi'im serve two functions. Firstly, they obviously are the places where the families of the Tribe of Levi live. (This includes also the Kohanim and their families, for the Kohanim are a branch of the Tribe of Levi.) And secondly, all forty-eight cities are also Cities of Refuge. However, as Cities of Refuge, they do not have the same status, as follows: The six Cities of Refuge named by Mosheh our Teacher (three of them, in Transjordan, were already set aside and would function as Cities of Refuge as soon as the other three were taken back from the Kenaanites) are strategically situated in the middle of their regions throughout the Land; they are roughly equidistant from each other and function as Cities of Refuge even if someone fleeing there is unaware that he is in a City of Refuge. The other forty-two cities, however, afford refuge only if the refugee invokes their status as a City of Refuge. In other words, the six cities are primarily Cities of Refuge, their secondary function is that they are Levite cities; the other forty-two cities are primarily Levite cities, and their status as Cities of Refuge is secondary. (Other differences flow from this distinction, too.)
6. *The Law of the City of Refuge, when understood properly, is profoundly instructive of the high moral level of the People of the Torah, for it teaches us how sacred is human life and how each individual, and the Nation as a whole, is charged with safeguarding human life. So long as the Jewish People uphold the principle of the sanctity of life as taught by the Torah, so long does the Divine Presence dwell amongst them, and the Nation, and their very Land, is made holy. But if they should ignore the Law of HaShem, then, instead of respecting human life, they will come to hold it in light regard. Human life will not be valued for the Divine benefaction that it is. Instead, it will be viewed merely as a commodity, to be valued or devalued according to mortal whim and circumstance, until even unlawful killing is rationalized and ultimately manslaughter and even murder will go unchecked.*
7. *If mortal man should lose sight of the fact that human life is given by G-d, and dare to presume that it is something whose value man himself can assess as he sees fit, sometimes to avenge and sometimes to condone, then mortal man is guilty of negating the value of human life: he causes the Divine Presence to depart from his world, and he brings the worst kind of "Tum'oh" upon the Land. "These immutable Laws of Justice", says the Torah, "shall be for all your generations, wherever you live ... do not make "Tommay" the Land in which you live and do not defile it, for My Presence dwells in it, too, for I, HaShem, am present in the midst of the Jewish People." It is the Law of HaShem that has educated us, His People, to be ever-mindful of the sanctity of human life, so much so that the utter callousness for life that we see even in the so-called*

SIDRA OF THE WEEK : מסעי

civilized peoples of the world all around us is a continual reminder of how HaShem's Torah sets us far apart from all the nations that are upon the face of the earth. For only in the People which lives by the Torah of HaShem can be seen preserved such deep respect for human life and such safeguards for human dignity, and it is only by living our lives according to the Torah that prevents us from sinking to the abominable depths of the Nations of the world. This fundamental principle of the sanctity of human life is such an important element in our calling as the People of HaShem that even before we came into Eretz Yisroel, Mosheh taught us the Law of the City of Refuge and even set aside three of the Cities for this Law ensures that every person will do his utmost to value and safeguard human life. In this way did Mosheh our Teacher stress the Torah ideals that are to guide us as the People of HaShem in His Holy Land.

8. In all cases of the various kinds of homicide, ranging from the purely accidental to that caused by carelessness or negligence, to premeditated murder, the killer must initially flee to the nearest City of Refuge and he is there taken into custody until his case is tried in Court. If the deed is found to have been the result of a pure, unforeseen accident, then the slayer is judged innocent, for he is himself a victim, forced (in Hebrew, "אָנוּס") as it were, by circumstances beyond his control, to be instrumental in the death of a human being, and he is allowed to return home without fear of any reprisals for this act.
9. On the other hand, if the Court finds that the killing was deliberate and that the murderer was fully aware of his action and its consequences, then he is removed from the City of Refuge and taken away to suffer the death penalty for murder as commanded by the Torah.
10. It is when the killing, though not brought about by any deliberate, murderous intention at all, nor attributable to any feelings of hatred towards his victim but is nevertheless the result of a degree of blameworthy carelessness on the part of the slayer — and thus could have been avoided had he taken every reasonable care — that in such a case does the law of the Torah stipulate that the slayer must be banished to a City of Refuge, for his own protection, and to help him achieve atonement before HaShem. (The word the Torah uses to describe this case is "שׁוֹגֵג" which indicates an error brought about by carelessness, related as it is to the word "שִׁגְעָה" intimating "mindlessness" and, its extreme, שִׁגְעוֹן meaning "madness.") As long as he is there, the slayer is protected from being killed by the avenger of the blood of the one whom he has slain: if he should deliberately go outside the boundaries of his City of Refuge he must fear for his life, for he loses that protection.
11. However, not in all cases of unintended manslaughter is the slayer afforded this protection. For if the Court should find that he killed through his reckless negligence ("קָרוֹב לְמִזְדֵּד") then, even though he is not put to death for murder (for the killing was without intention) nevertheless the killer cannot atone for his deed by banishment to a

SIDRA OF THE WEEK : מטעי

City of Refuge: he must be in continuous flight from the avenger of the blood of his victim.

12. The banishment of the manslayer to a City of Refuge is not a punishment so much as an atonement. After all, it was completely without intention. But it is to bring him to realize what his thoughtlessness has caused, what his action has made his fellowman lose. The manslayer's banishment from home and exclusion from the Nation's life, to be confined to one single city — with any deliberate venturing beyond the city limits implying a gesture of contempt of the gravity of his misdeed which justifies the avenger of the blood of his victim making away with him — this confinement is intended to make him learn to value the worth of the precious treasures of human life that his carelessness has taken from his fellow. His own confinement and mild suffering is only a modified form of what his brother-man has lost by his hand, for whereas his victim was torn away from his home, his country and his whole existence on earth, the manslayer is excluded from the life of the Nation that he enjoyed till now — but he is allowed to live with his family in his City of Refuge. In his City of Refuge, which he may not leave for any reason, he is constantly to remember and consider the sacredness of human life, and this banishment serves as a lesson to the whole Nation, too, for this tragic happening and its aftermath is known to everyone in the Land.
13. In his City of Refuge, where the Levi'im and the Kohanim who are the Torah-teachers of the Nation live, he will come under the benign influence of a life of Torah and goodness, he will learn what it means to care for others. His humane treatment there by its citizens will help to educate him to be mindful of the brotherhood of the People, for the Torah commands that his material requirements no less than his spiritual needs are to be considerably provided for him. There, he will experience first-hand the lovingkindness of Torah life, and the concern and sympathy that the People of the Torah are expected to have for each other and — above all — to treasure and protect human life in every way. Having thus learned his lesson and become aware of his responsibilities to his fellowmen, when he will be allowed to leave the City of Refuge he will be able to rejoin the Nation once again.
14. The Torah stipulates that the manslayer remains confined to his City of Refuge until the death of the Kohen Ga'dol. Our Chachommim, of blessed memory, show how this connexion between the manslayer's term of banishment and the Kohen Ga'dol's death in fact emphasises the high moral standard of the Nation of the Torah. For when we consider that the manslaughter — albeit accidental — ultimately derived from a less than full regard for the sanctity of human life (for had every care been taken it would not have occurred through his hand) we then also see how the Kohen Ga'dol, the Torah leader and rôle-model of the Nation, must share, to a degree, some of the blame for the tragic accident that casts its gloom over the entire People. Had the Kohen Ga'dol, the guardian of the moral standard of the Nation, more clearly stressed the high value of

SIDRA OF THE WEEK : מטעי

human life by his teaching and example, indeed, had he shown his real concern for each life and had each and every one been in his prayers to HaShem for the welfare of the People, then this deep sympathy for each human life would have made itself felt and it would have exerted such a powerful influence over the whole Nation to such an extent that this would be reflected in the thoughtful actions of each individual: no one would have dared to act in a careless way. This tragedy would not have been.

15. It is the Kohen Ga'dol who stands as the Nation's representative before HaShem, and whose concern it is to teach the value of human life in the service of HaShem so that the Divine Presence should dwell in the midst of the People. The Kohen Ga'dol seeks to bring HaShem's Presence and His blessings of long life, whereas the uncaring manslayer drives away the Divine Presence and shortens life. It is not fitting, say our Chachommim, of blessed memory, that a person through whose lack of care for human life a human life has been destroyed, a person in whose thoughtlessness for others is echoed the callous question of the world's first murderer, "Am I my brother's keeper?" — a person whose attitude and behaviour bring Tum'oh — defilement — upon HaShem's Nation, it is not fitting that such a person should be among the People when its Kohen Ga'dol represents them before HaShem. Therefore, says the Torah, let the manslayer be banished from the midst of the Nation to his own City of Refuge, there, in constant contact with the People's Torah-teachers, to contemplate his actions and to learn to mend his ways. The Torah forbids him to obtain his release by the payment of a monetary fine — this would only serve to further cheapen the human life he has destroyed.
16. Any person's uncaring attitude that can lead to the shedding of innocent blood is an open denial of the fundamental basis of the G-dliness of human life. It is, as it were, a proclamation of Tum'oh, which, if it were allowed to go unchecked, would lower the moral standard of the entire Nation. For this reason does the Torah call upon the next of kin of the victim to avenge the innocent blood that was spilt if the manslayer should show his disdain for his deed by venturing outside his City of Refuge. Indeed, this is the duty of the Nation, and should there be no capable next of kin, this duty devolves upon all the people of the Nation, for otherwise the moral character of the entire Nation is at risk. (In the case of murder, the Torah imposes the duty of avenger of the blood upon the Court, to act in the name of the whole People.)

Only by dealing strictly with the manslayer and the murderer, in accordance with the Law of the Torah — not because human lawmakers have so decided, but because the Law of HaShem commands it — will human life be safeguarded. Where the Law of HaShem is ignored, and because of misguided feelings of mercy and soft-hearted forgiveness, murderers are allowed to live, human life becomes cheap. (As if, incidentally, murder is a crime against man for man to forgive, when in reality it is an offence against HaShem, for all life is His.) Such mistaken feelings, besides the irreligious implication that one is kinder than HaShem Himself, lead away from true mercy and genuine

SIDRA OF THE WEEK : מטעי

forgiveness, for, in the words of our Chachommim, of blessed memory, “They who would be kind when they must be harsh, end up being harsh and cruel when they should be kind.” This can clearly be seen in those kindly hypocrites who, because of their professed concern for human life and abhorrence of killing, would preserve the lives of murderers. By removing the deterrent, they put people’s lives in danger, for all killers become fearless if their own lives are assured. Yet the very same people who are so concerned about preserving the life of a murderer, so often are the very same people who enjoy as their own entertainment exhibitions of human misery and violence of the worst kind against humans and animals. The Torah Nation of HaShem does not know of such confusion of standards. Their standards are set by HaShem, and He, in His Wisdom, has decreed the death penalty for a number of offences (murder is one of them) for the Creator of the Universe knows what is best for His creatures and He, Whose genuine compassion is extended to all His creatures, has commanded us to have compassion, too. So, although the Torah orders the death penalty, true kindness will be found only amongst those whose moral education and behaviour is bound by HaShem’s Torah. One looks in vain for bullfighting, bear-baiting, boxing or wrestling-matches or any other kind of gladiatorial contest amongst the People who live by the Torah.

17. The Torah commands that throughout the Holy Land, roads and highways must be provided and maintained in good order to facilitate the manslaughterer’s escape to the nearest City of Refuge, lest the pursuing avenger of the blood should otherwise be able to overtake him in his confusion and panic. The effect of this law upon the whole country and its people can hardly be over-emphasised. Not only does it mean that the roads must at all times be passable without difficulty, but also that at every crossroads and at every fork in the road, signposts must point the way to the nearest City of Refuge. The Cities of Refuge themselves are situated equidistantly throughout the land — no locality is to be far away from a City of Refuge. With forty-eight Cities of Refuge strategically sited throughout the country, with every single crossroads throughout the land with its signpost pointing the way to the local City of Refuge, the People has before them constant reminders of the great value that the Torah places upon human life. To everyone, from the highest in the land, the Kohen Ga’dol, whose own life-span marks the term of banishment of the manslaughterer, to every ordinary person who travels along any road anywhere in the country, this Law of the Cities of Refuge constantly proclaims the sanctity of human life and the Nation’s responsibility to preserve it carefully. Thus the Torah ensures that the whole People are always mindful of the Divine Presence in their midst.
18. The Sidra ends with the request made to Mosheh our Teacher by the heads of the families of the Tribe of Menasheh concerning their inheritance in Eretz Yisroel. Tzelofchod ben Chayfer, of the original generation of the Jewish People who had been delivered from Egypt by HaShem, had died leaving five daughters but no sons. When the daughters of Tzelofchod had asked that nevertheless they should be granted the portion in Eretz

SIDRA OF THE WEEK : מסעי

Yisroel that their father would have got had he left sons (as taught then by Mosheh, the Law of Inheritance stated only that sons took over from their father) Mosheh was told by HaShem that where there were no sons, a man's daughters do indeed inherit his possessions, and that the daughters of Tzelofchod were to be apportioned the parcel of land of their father. The elders of the Tribe of Menasheh, to which the family of Tzelofchod belonged, were now concerned that if these daughters were to marry men of other Tribes, then their portion will pass into the possession of their husbands, to the detriment of the Tribe of Menasheh. In reply, Mosheh told the Jewish People that HaShem indeed commanded that initially the Tribes of Israel are to take possession of the Land as stipulated, without any part of one Tribe's inheritance passing over, because of marriage, to another Tribe. (Even though this was bound to happen in later years, at this stage HaShem wished that each Tribe should develop its own specific character within the Nation in that part of Eretz Yisroel allotted to it by the Word of HaShem, and specially suited to its special nature.) So even if the daughters of Tzelofchod (or any other women of this generation in the same situation) were to marry men of other Tribes, their fathers' inheritance would still remain in his Tribe. In any case, the Torah reports, the daughters of Tzelofchod chose to marry men of their own Tribe of Menasheh ben Yosef, according to the advice given to them by Mosheh our Teacher.

חזק

WITH THIS SIDRA IS COMPLETED

ספר במדבר

THE FOURTH OF

THE FIVE BOOKS OF THE TORAH

For the explanation of the Haftorah of Sidra מסעי please go to HAFTORAHS.