

Shoftim-Three Refuge Cities on the Frontier

by Rabbi Eliyhau Kirsh

In Devarim 19:1-13 we are told about the institution of the Arai Miklat, refuge cities for Eretz Yisroel. The purpose of these cities is that if one kills unintentionally, he/she runs to the refuge city for protection from the relatives of the one who was killed who would be looking to seek revenge. The details of these laws are found in the Mishna and Gemara Makkos chapter 2 and the Rambam Hilchos Rotzaiach Chapters 5-8.

The Gemara in Makkos 9B asks why there were three refuge cities on the eastern side of the Jordan River just as there were three on the western side. After all, the majority of the population lived on the western side so if there were three was an acceptable number for the western side, the eastern side should have had less. After all, only two and a half tribes had their territory there. The Gemara answers that in Gilad, the eastern side, murderers are commonly found. Tosofos raises the question that since the purpose of these refuge cities was for unintentional murders, of what relevance is the fact that there are more deliberate murders? Tosfos Answers that because more intentional murders take place, more unintentional murders will also take place in order to punish the murderers. In other words, the intentional murders will be murdered themselves in the end but often unintentional to the person behind the action and this second person will therefore need this refuge city. So the great number of murders will raise the number accidental deaths as well.

My Rosh Yeshiva, Rav Dovid Feinstein, Shlita, explains that in a environment where murder takes place so often life itself becomes cheapened. When one sees murder on a regular basis the general sensitivity to loss of life goes down and people become far more negligent. People just say, "So what if someone gets killed .It happens all the time. No big deal." Therefore when people are doing any activity that can potentially be life threatening to others, no safety precautions will be taken. In contrast, one who does value life will take the extra precautions to see that no one is harmed or killed. For example, if one is doing construction of any kind he will put up warning signs for others to keep away or if he is cutting wood, he will make sure the handles of the tools are secured tightly and other similar precautions.

Perhaps we can understand this from the way life was in the 'wild west' of Early America. Out there the populations were sparse and it was harder to enforce law and order. Many of the classical 'Western' stories, whether real or fictitious,

emphasize this idea of 'survival of the fittest.' The fittest usually meant the quickest one to use his gun. As we know a whole culture of killing developed.

This is totally antithetical to our Torah life and values. We value life as a gift from Hashem. There is no room for this mentality of "You cross me, I'll kill you". We, as the children of Avraham, Yitzchak and Yaakov and as Avdei Hashem, are to be sensitive to life. When we follow the Torah way of life we are promised a life of security, peace and tranquility as we are told in Mishlai 3:17, 'Its ways [the Torah] are ways of pleasantness and all its paths are peace.'