

## *Torah is Our City of Refuge*

Parashat Mattot-Masei

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In the most climactic moment of Victor Hugo's 1831 novel *The Hunchback of Notre Dame*, or for that matter in the many film adaptations of the story that have been made since then, Quasimodo, the so called hunchback, the disabled bell ringer of the famed cathedral swoops down from atop the Gothic church to rescue Esmeralda from death on the gallows. As he swings back to safety with Esmeralda in his arms, Quasimodo hoists her above the crowd below and proclaims "Sanctuary," "Sanctuary!" She is, at least temporarily, spared from execution because of the Sanctuary Law, which declared rooms like this one, religious spaces, sanctuaries, holy sites to be safe havens where even accused criminals could not be apprehended or punished. Before a sanctuary referred to a room or a hall, sanctuary was a permit, a grant, an understanding in society that the domain of a temple, a church, a synagogue was safe space for those seeking '*asulia*' the Greek word that is the root of the English "asylum." From the ancient historian Herodotus to medieval English cannon law, to the American Underground Railroad, the legal convention of asylum is attested to over and over in history. Once a fugitive crossed the threshold into a religious space, they were protected from wild crowds, vigilantes, avengers, and even law enforcement. In times and places where people of lesser esteem, social class, or other disadvantages did not benefit from equal justice, they could always find respite or even simply a delay of their trial by seeking sanctuary in sacred places.<sup>1</sup>

But even before one could claim sanctuary or *asulia* in a house of worship, the Torah established *arei miklat*, asylum cities, or cities of refuge—six to be exact, three on each side of the Jordan River—where a person who accidentally killed another, could find safety from the primitive pursuit of vengeance or retribution by family members of the deceased. Even though the death was unintentional, accidental, without malice or intent, the aggrieved family could very well be unsatisfied by a lesser punishment or no punishment at all for the killer...and that's where the cycle of revenge begins. And also, where the Torah seeks to cut it off at its roots.<sup>2</sup>

In some cultures, people could claim sanctuary only for a certain amount of time. In medieval sanctuary law, a fugitive would have to leave that safe haven after 40 days, and then voluntarily go into exile for the rest of their lives.<sup>3</sup> In the *arei miklat*, the cities of refuge in the Torah, a person was granted safe haven *ad mot ha'kohen ha'gadol*, until the death of the reigning high priest.<sup>4</sup> What strange timing that is! Many *mefarshim*, traditional commentators of our Torah have tried to unravel the mystery of why the High Priest's death would signal the end of asylum in *an ir miklat*. Some say the High Priest was somehow responsible...that he should have prayed better, harder, more intentionally that these deaths wouldn't happen among the Jewish people on his watch. Some suggest that the High Priest's own death is what atoned for unintentional killings, and from his death onward the matter was considered settled. The Rambam says<sup>5</sup> that

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<sup>1</sup> Bond, Sarah. "Defending the Ancient Concept of the Sanctuary City." *Science*, March 28, 2017

<sup>2</sup> Numbers 35:9-34

<sup>3</sup> Allen, Elizabeth. "What's the history of sanctuary spaces and why do they matter?" *The Conversation US*, November 23, 2016

<sup>4</sup> Numbers 35:28

<sup>5</sup> Rambam, *Guide for the Perplexed*, III:40

the profound communal grief surrounding the death of an outstanding figure like the High Priest, would allow anyone else who was grieving to find some comfort and resolution for their own losses. The death of the Kohen Gadol was, in a sense, like pushing a communal 'reset' button.

Nowadays, only the *miklat* survives in the land of Israel, but not the *Arei Miklat*. In modern Hebrew, a *miklat* is a bomb shelter, and unfortunately, they are in almost every home, school, apartment complex, and public building in the Jewish state. Just as those asylum cities literally saved the lives of those seeking to harm and shed the blood of others in ancient Israel, those *miklatim*, those bomb shelters do the same when the rockets come raining down in today's Israel.

The Lubavitcher Rebbe, who died in 1994, had a symbolic take on the cities of refuge.<sup>6</sup> He said that each one of us has a *goel* that is chasing us...each one of us is being pursued by an avenger. The avenger, he said, was none other than the *Yetzer Ha'Ra*, the evil inclination that tempts us to go off the *derekh*, to forsake what we know is good, and holy, and righteous, and instead succumb to less wholesome, less principled behavior. But where do we flee when we feel ourselves being pursued by the *yetzer ha'ra*? Where do we find sanctuary, safe haven? Where can we go for protection from this avenger that seems to be always lurking in our lives. The Talmud, in tractate Makkot pointedly says, *divrei Torah koltin*, Torah is our miklat, our refuge, our sanctuary. A life filled with Torah and mitzvot are our modern day cities of refuge. In fact the Rambam said, *Talmid she'galah le'arei miklat, megalin rabbo imo!*<sup>7</sup> If a student was exiled to a city of refuge, that student's rabbi had to go with them! *She'chayei be'lo Talmud torah...ke'mitah chashuvim*, because life without Torah is considered death...at least, spiritual death for a Jew. The rabbis say that the road leading to the cities of refuge had to be twice as wide as a normal thoroughfare, and that it was clearly marked with signage that said 'Miklat, Miklat...Refuge, refuge, just up ahead.' The Rebbe also taught that these road signs are the people in our lives today who point us in the right direction. When we are lost, when we are confused, when we make a wrong turn in life, there are always those special people who hold up those signs saying, Refuge, refuge, right this way. I hope we can recognize that signage in our lives when we get off track, that we know who those people are who are reminding us, miklat, miklat...refuge, refuge! I hope we can be those road signs for others, who may look to us to find their way back. And I pray that *divrei Torah koltin*, that we surround ourselves with Torah with mitzvot, with deeds of loving-kindness with prayer and *tzedakah*, thereby warding off the *yetzer ha'ra* from leading us astray. And may these four walls, this beautiful sanctuary and sacred space fill you with hope and inspiration, compassion and wisdom. We hope you always feel loved in this place, and that the words of Torah you experience here are life giving and affirming. *Ki hem chayeinu v'orech yameinu*, for Torah is truly our life and the length of our days.

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<sup>6</sup> As heard in a lecture by Rabbi Elisha Pearl

<sup>7</sup> Based on Makkot 10a, Mishneh Torah, Laws of Murderer and the Preservation of Life 7:1