

PARASHAT MATOT-MAS'EY

Numbers 30:2–36:13

Parashat Matot-Mas'ey is one of seven designated Torah portions that, depending upon the number of Sabbaths in a year, is either read as two separate portions or combined to assure the reading of the entire Torah. While this volume will combine them, it will present an interpretation on each of their most important themes.

Parashat Matot reports the laws, given to the Israelites, for making vows. It also contains a description of the Israelites' war against the Midianites, including the distribution of the booty. The Torah portion concludes with Moses resolving a request by the Gadites and Reubenites for the lands of Jazer and Gilead.

Parashat Mas'ey recounts forty years of *mas'ey*, or "journeys," by the Israelites from Egypt to the Land of Israel. Moses provides instructions for conquering the land, defining its borders, and dividing it among the tribes. He also defines provisions for setting up six cities of refuge where those accused of manslaughter may go for safety and a fair trial. The Book of Numbers concludes with a counterprotest regarding the daughters of Zelophehad (see the discussion in *Parashat Pinchas*) and a further clarification of the Torah's laws of inheritance.

OUR TARGUM

· 1 ·

Moses presents God's laws regulating vows. All vows must be fulfilled. However, when a woman makes a vow as a minor or as a wife, her promise is good only if

her father or husband offers no objection to it. By contrast, the vow of a widow or divorced woman is binding upon her.

· 2 ·

Moses commands the Israelites to organize war against the Midianites, who, with the Moabites,

had lured the people into prostitution and the worship of Ba'al-peor, when they were camped at Shittim. (Numbers 25:1-9) The Israelites destroy the Midianite towns, capturing booty and many female captives and their children. Moses is furious with the chieftains, reminding them of their battle orders to slay every male. He commands them to carry out the order and to destroy every male among the children and every Midianite woman who has had sexual relations.

Warriors who have killed a person or touched a corpse are told to stay out of camp for seven days and cleanse themselves and their booty through rituals of water and fire. The priests and family heads inventory the booty, dividing it between the warriors and sanctuary.

• 3 •

The Reubenites and Gadites, who own great numbers of cattle, approach Moses with the request to settle the lands of Jazer and Gilead on the east side of the Jordan River. They claim that these lands are better suited for cattle than the lands allotted to them inside the borders of Israel. While these lands have been conquered by the Israelites, they have not been designated as part of their inheritance.

Moses strongly objects. He accuses them of abandoning their people just when they are poised to enter their land, comparing their actions with the disloyalty shown by their fathers who had scouted the Land of Israel and returned with false reports. The Reubenites and Gadites pledge to act as shock-troops and lead the battle for conquering the Land of Israel and to keep their hereditary holding in the land. Convinced of their integrity, Moses assigns them the lands of Jazer and Gilead.

• 4 •

Parashat Mas'ey records the names and locations of Israelite camps and journeys from the Exodus through forty years in the desert to the steppes of Moab at the Jordan River near Jericho. The Exodus begins on the fifteenth day of the first month, *Nisan*. Forty years later on Mount Hur, Aaron dies at the age of 123. When the people reach the steppes of Moab, near the Jordan River and the city of Jericho, Moses tells them to enter

the Land of Israel, overwhelm its inhabitants, destroy their idols, and demolish their cult sanctuaries. Afterwards, they are to divide the land by tribal lots.



Andel

Moses informs the Israelites that the southern border of their land is from the southern tip of the Dead Sea to Kadesh-barnea in the middle of the Negev desert and to the Mediterranean Sea just south of what today is Gaza. The western boundary is the coast line of the Mediterranean Sea. The northern boundary is to run eastward from what today is near the Israel-Lebanon border to near Mount Hermon close to Damascus, Syria. The eastern border is to stretch south from near Damascus to the Sea of Galilee and from there along the Jordan River and Dead Sea.

Moses informs the people that the land inside these borders is to be divided between nine and one-half tribes, reminding them that the tribes of Reuben, Gad, and the half-tribe of Manasseh have been given their portion in land east of the Jordan River.



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The people are also told to assign special towns and lands to the Levites and to choose six cities

THEMES

Parashat Matot-Mas'ey contains two important themes:

1. Caring for yourself or others.
2. Justice for one who accidentally harms another.

PEREK ALEF: "Are Your Brothers to Go to War While You Stay Here?"

Parashat Matot raises significant moral questions concerning the petition of the Reubenites and Gadites to settle the conquered lands of Jazer and Gilead on the eastern side of the Jordan River. The tribal leaders approach the aging Moses, Eleazar the priest, and the other heads of the community during the crucial months preceding the battle for the Land of Israel. They explain that the area of Jazer and Gilead is cattle country, and they are ranchers with many cattle. "Favor us," they say, "by giving us this land; do not move us across the Jordan."

Moses is infuriated by their request. Sensing betrayal, he angrily tells them: "Are your brothers to go to war while you stay here? Why will you turn the minds of the Israelites from crossing into the land that *Adonai* has given them?" Pausing, he continues by accusing them of the same sort of treason practiced by their ancestors. "That is what your fathers did when I sent them from

where one person who unintentionally murders another may flee, finding safety and a fair trial.

·6·

The family heads of the clans of Manasseh and Joseph complain to Moses about his allotment to the daughters of Zelophehad. They point out that, if these daughters marry men from another tribe, the tribal lands will pass into that tribe and not remain within the allotment given to Manasseh and Joseph. God informs Moses that their claim is just. To solve the problem of allowing daughters to inherit from their fathers, Moses decrees that every daughter who inherits a share of land must marry someone from a clan of her father's tribe. In this way the tribal portions will remain the same. Following this law, the daughters of Zelophehad marry men within their clans.

Kadesh-barnea to survey the land. After going up to the valley of Eshkol and surveying the land, they turned the minds of the Israelites from invading the land that *Adonai* had given them. . . . And now you, a breed of sinful men, have replaced your fathers."

It is a stinging denunciation, but the Reubenites and Gadites hold their ground. Responding to Moses' charge, they request only enough time to build sheepfolds for their flocks and towns for their children. Afterwards, they are willing to serve in the vanguard of the Israelites' battle for the land and remain until "everyone of the Israelites is in possession of his portion." They also assure Moses that they will make no claim on any land west of the Jordan River.

Moses accepts their promise, warns them against breaking it, and tells them: "Build towns for your children and sheepfolds for your flocks, but do what you have promised."

Criticizing the request of the Gadites and Reubenites, the early rabbis comment on their explicit greed and link them to Korah, Goliath,

and Bala'am, who acted unscrupulously to accumulate their wealth only to lose it. They argue that the petition brought before Moses by the Gadites and Reubenites is self-serving. It is the work of people "who love their money" and are willing to sacrifice the welfare of their people to protect their own narrow interests. In fact, say the rabbis, "they separate themselves from their people because of their concern for possessions."

In drawing the parallel between the Gadites and Reubenites to Bala'am, Goliath, and Korah, rabbinic interpreters suggest that they all suffer defeat for the same reason. They "snatch their wealth" by using strength, power, manipulation, and devious means. They are out for themselves, are inconsiderate of others, and will use any means to increase their riches. Their wealth is temporary, say the rabbis. It goes as quickly as it comes because it is not the "gift of God." Because of their greed, they lose it all within two centuries when they are exiled by the invading troops of Assyria.

The rabbis' charge, however, goes even further. They point out that the Gadites and Reubenites prove how foolish they were by their priorities. When Moses criticizes them for seeking land on the east side of the Jordan River before they have helped conquer the Land of Israel, they answer, "We will build here sheepfolds for our flocks and towns for our children."

Their response, claim the rabbis, reveals their priorities. Rather than speaking first about towns for their children and families, they emphasize building sheepfolds for their flocks. They show greater concern for their cattle than for human beings, more attention to their possessions than to their own flesh and blood. Moses, they conclude, is fully justified in denouncing them. (*Numbers Rabbah* 12:7-9)

Jewish historian Josephus Flavius, who lived during the first century (37 C.E. to 100 C.E.), agrees with this harsh rabbinic assessment of the Gadites and Reubenites. Moses, he writes, understands that they are seeking a strategy for securing their wealth on the east side of the Jordan River, not participating in the Jewish people's conquest of their land. For that reason he is justified, argues Josephus, in labeling them "arrogant cowards" because "they had a mind to live in luxury and ease while all the rest were

laboring with great pains to obtain the land they were desirous to have." Josephus condemns them for pursuing self-interest and neglecting responsibility to the common good of their people. (*Antiquities of the Jews*, IV, 5, A.L. Burt Co., New York, n.d.)



Peli

Modern commentator Pinchas Peli agrees, claiming that the Gadites and Reubenites represent a serious "separatist" threat to the Jewish people. "Moses' concern," Peli writes, "was . . . with the ethical implications of the seceding of the two tribes from a war that should be fought by all of Israel. The conquest of *Eretz Yisrael* was not incumbent only on those people who planned to live on the land. It was, in the eyes of Moses, the culmination of the drama of redemption that should be acted out in full by all the tribes that came out of Egypt."

According to Peli, however, Moses also worries about "the effect that the step taken by Reuben and Gad might have on the morale of the people." He scolds them with sharp language, calling them "a brood of sinful men," and linking them to the "slandering spies" whose reports were designed to frighten an earlier generation from going up to conquer the Land of Israel. Their request to remain on the east side of the Jordan River undermines the unity of the people and threatens to deplete their strength just when it is most required. Moses, says Peli, understands that a divided people will not be victorious over its enemies. Their request is nothing less than treason. For that reason he severely reprimands them. (*Torah Today*, pp. 189-193)

Ramban (*Nachmanides*)

Nachmanides sympathizes with Moses' suspicion of the Gadites and Reubenites but maintains that their true intentions are misunderstood. Moses, he writes, is guilty of overreaction. Rather

than patiently hearing them out, he rushes to condemn them. He “suspects that they are only suggesting that they stay on the east side of the Jordan because they are afraid of the people in the land of Canaan.”

That explains, says Nachmanides, why Moses accuses them of a failure of nerve and of acting like their ancestors who, out of fear, spread lies that the people inhabiting the land are “giants” and would overwhelm the Israelites in battle. Nachmanides is critical of Moses and points out that the intention of the Gadites and Reubenites was never to abandon the effort to conquer the land but to enlarge the inheritance of the tribes by settling in desirable lands east of the Jordan River. Justifying his observation, Nachmanides quotes them as telling Moses: “We will hasten as shock-troops in the van of the Israelites until we have established them in their home. . . . Nor will we claim any share with them on the other side of the Jordan and beyond, having received our share on the east side of the Jordan.” (Numbers 32:17–19)

Nachmanides’ argument is that the Gadites and Reubenites came before Moses “with a request, not a confrontation.” They were seeking, not only what was best for them, but also what they believed would be best for all Israelites. Their plan would give their people more, not less, land. Had Moses taken the time to hear them out instead of instantly condemning them, their real intentions would have been clear.

Moses is criticized

Our sages declare that Moses offends God by describing the Israelites as “a band of sinners” and was punished accordingly . . . in that one of his descendants became a priest to heathen worship. . . . It teaches us . . . if someone has a quarrel with another person, he should not in anger insult the ancestors of that person . . . there even exists an ancient ban against speaking ill of those already sleeping in the ground, even when there are justified reasons for doing so. (Yitzhak Magriso, Me’am Lo’ez on Numbers 32:14–15)



Abravanel

Abravanel agrees with Nachmanides and probes for an explanation of Moses’ confusion and indignant response. What accounts, he asks, for Moses’ immediate and angry answer to the Gadites’ and Reubenites’ request to settle their families and cattle east of the Jordan River? He discovers an explanation in the first words they speak to the aging leader. They say to him: “It would be a favor to us if this land were given to your servants as a holding; do not move us across the Jordan.” (Numbers 32:5)

Their mistake, says Abravanel, is in putting the matter of their crossing the Jordan in negative terms. In doing so, they confuse Moses, leading him to assume that they fear the battle ahead and are seeking a way to avoid helping conquer the Land of Israel. Had they simply said: “We are ready to join in conquering the land and will be satisfied if you allow us to inherit this land east of the Jordan,” Moses would not have misunderstood their motive. Their fault was in the carelessness of their presentation; in the thoughtlessness of their words. (Commentary on Numbers 32:5)

Abravanel’s contemporary Isaac Arama believes that Moses should have apologized for his hasty, false assumptions about the Gadites and Reubenites. However, he argues that their motives were deeply divided and thus confused Moses. On the one hand, they were ready to fight along side the Israelites; on the other hand, they would have been pleased to be excluded and allowed to remain east of the Jordan with their families. They alternated with ambivalence between loyalty to the people and a willingness to forgo their tribal inheritance in the Land of Israel. They knew that their people’s destination for forty years was to inherit and live in the Land of Israel, but they also “wished to stay abroad because they had found territory that suited their cattle, as if they had come to this destination to accommodate their animals with choice pasture.”

This serious confusion about their motives

accounts for the ambivalence Moses senses in their request, leading him to accuse them of treason. Their own lack of clarity about their goals and their destination leaves them incapable of articulating a direction. They become prisoners of their own ambivalence, unable to determine what they want because they do not know what they want. Little wonder that Moses did not comprehend their true intention. The Reubenites and Gadites hardly understood it themselves. (See *Akedat Yitzhak* on Numbers 32:1–27.)

The controversy continues

According to Rabbi Simcha Zissel of Kelm, the petition of these two and a half tribes not to cross the Jordan because of cattle boils down to a desire for money. Now it doesn't take a great flight of the imagination to relate the cattle and grazing lands of those days to the cattle and grazing lands of today. Why do Jews continue to live outside Israel—on the other side of the Jordan or the other side of the Atlantic? Because they've found good grazing lands for their cattle, and it's a shame to give it up. But even if the descendants of Gad and Manasseh petitioned someone today about their choices, we could very well assume that Moses would say today what he said then: "Why should your brothers go out and fight while you stay here?" (Comment on Numbers 32:6 by Rabbi Shlomo Riskin, Jerusalem Post, July 21, 1990)

In contrast to the explanations of Abravanel and Isaac Arama, Rabbi Moshe ben Chaim Alshekh excuses the Gadites' and Reubenites' request, arguing that it was motivated by generosity and realism, not by confusion. He points out that Gad and Reuben "seek to convince the tribal leaders that by their choice everybody will wind up having more land." "The reason they stress that they would *first* build enclosures for their cattle and then provide for their children is to convince Moses that the safety of their children is not their primary concern." Their first priority is to benefit their people.

Supporting his argument, Alshekh writes: "When Moses realizes that the intention of these tribes has been sound, that they have only erred in their semantics, having been imprecise in the use of language, he instructs Eleazar and Joshua that they should not be harassed for their decision to ultimately reside east of the Jordan River." As with Abravanel, Alshekh identifies the problem as one of "semantics." However, rather than blaming the Gadites and Reubenites for carelessness and confusion of goals, he dismisses the matter, saying that, once Moses understands the true intention of their request, "he accepts the fairmindedness of the Reubenites and Gadites and that his suspicions had not been based on fact." (Commentary on Numbers 32:20)

The differing views over the motives of the Gadites and Reubenites in asking to inherit lands east of the Jordan River and to remain in them until they build enclosures for their cattle and cities for their children raise significant moral questions about the division between responsibility to oneself and family and responsibility to one's community. The clash of Moses with the Gadites and Reubenites over interests and intentions is a common and continuing one.



Zugot

Hillel captures the dilemma with three hard questions: "If I am not for myself, who will be for me? But, if I am only for myself, what am I? And, if not now, when?" (*Avot* 1:14)

PEREK BET: Cities of Refuge: Justice for Unintentional Homicide

Parashat Mas'ey presents a revolutionary approach to providing justice for those who have committed involuntary manslaughter, meaning that they have unintentionally murdered another person. It suggests that in such accidents guilty parties may escape avenging relatives by going immediately to one of six *arei miklat*, or "cities of asylum." Within those cities, three of which

are located in the Land of Israel (Hebron, Shechem, and Kedesh) and three east of the Jordan River (Bezer, Ramoth, and Golan), those who have committed involuntary manslaughter are to find safety and justice from those seeking to avenge the death of their loved ones.

How did these *arei miklat*, or "cities of asylum," function?

The Torah and rabbinic law provide us with some answers. During the biblical period, relatives of murder victims, whether premeditated or unintentional, had the right to find and execute those who were guilty of killing their loved ones. Those whose crime was committed by accident, however, had the right to save themselves from the revenge of families by going immediately to one of the six cities of asylum. All roads leading to these cities had to be clearly marked with signs pointing the way. In addition, roads were to be straight, level, and in good condition. No obstacle was to stand in the way of those seeking asylum.

Upon arrival at the city gate, unintentional murderers presented themselves to elders who offered hospitality. Once rested, they were taken to a court where it was determined whether they were guilty of premeditated murder or involuntary manslaughter. If judged guilty of premeditated murder, they were put to death; if guilty of unintentional homicide, they were allowed to live rent- and tax-free in the refuge city during the lifetime of the incumbent High Priest. After the death of the High Priest, they could return to their home cities, without fearing harm from avengers. (Numbers 35:9–34; Deuteronomy 4:43, 19:8–10; Joshua 20:7; *Makot* 10a–b, 13a)

Modern commentator Rabbi W. Gunther Plaut speculates that the "institutionalization of such asylum may be the earliest of its kind . . ." and points out that "the distinguishing features of the biblical provisions are the restriction of asylum to the unintentional slayer and the connection of the institution with the death of the High Priest." Plaut claims that the notion of the cities of asylum arose out of the need to end family feuds by taking the process of law out of the hands of private individuals and emphasizing the role of "public law enforcement."

For Plaut, the *arei miklat* serve three different

purposes. They are meant to protect unintentional murderers from the passion of avengers, to punish them, and "to contain and isolate the sin that had been committed." He suggests that the isolation of sin is the most important, explaining that "the killing of a human being, though it occurred without evil intent, was a moral injury to the total community" because the people of Israel have "a special God-relationship that was founded on zealous regard for the sanctity of every life." (*The Torah: A Modern Commentary*, pp. 1249–1250)

Rabbi Jacob ben Isaac Ashkenazi of Yanof, author of *Tze'edah u-Re'edah*, supports Plaut's view, maintaining that the *arei miklat* are a means of containing the sin of murder. He writes that each murder, intentional or unintentional, banishes God's Presence from the world because each human being is made in the image of God. When that image is destroyed, God's Presence is sent into exile. By contrast, the High Priest through his saintly function in the sanctuary brings God's Presence into the world. This is why, explains Rabbi Jacob, the unintentional killer is confined to the city of asylum until the High Priest dies. Those who diminish God's Presence "should not go into the world," should not contaminate it with their sin while the High Priest who labors to bring God's Presence into the world is alive. (Commentary on Numbers 35:25)



Hirsch

Rabbi Samson Raphael Hirsch amplifies the point made by Rabbis Plaut and Jacob concerning the sacredness of life by emphasizing the special relationship between the people, the Land of Israel, and God. He writes that "the land is only given on the condition of every human life being respected and being unassailably sacred to the Torah. One drop of innocent blood shed and no notice taken of it drops a stitch in the bond that connects the land with the nation and both with God."



Rambam (Maimonides)

Regulations for the *arei miklat*

The city of asylum should not be large or small, but average; it is to be established only at a place that affords marketing possibilities and water resources; if there is no water, it has to be installed; it has to be established as a place that attracts settlement in its environment. (Moses Maimonides, Mishneh Torah, "On Homicide," 8:8)

Unlike Plaut and Jacob, Hirsch does not look upon the asylum cities as places for the containment of those who "contaminate" the world through their sin of unintentional homicide. Instead, he sees them as providing opportunities offering forgiveness and rebirth. Hirsch argues that, just as when we are born, we are "set in the world as a permanent surrounding"; "consigning the unintentional murderer to a *miklat*-city is similarly a second confining birth. The *miklat*-city is henceforth the whole world to the one who is relegated to it."

According to Hirsch this "rebirth" within the *miklat*-city is not a form of punishment but a chance to find "a life there." For that reason, says Hirsch, the town "should be of medium size . . . not enclosed by a wall, provided with water and food markets . . . all national classes must be settled there." It must have teachers, students, people of science, of spiritual and intellectual quality. According to Jewish tradition, students must be allowed to follow their teacher if he is guilty of unintentional murder, and a teacher must be given the freedom to follow a student.

Quoting from the description of the *arei miklat* in Deuteronomy 19:5, Hirsch emphasizes that unintentional murderers are to "flee to one of these cities *and live*." For that reason, the *arei miklat* are to be environments for "rebirth," nurturing places where human beings can enjoy the company of others, pursue their talents, and grow

both spiritually and intellectually. Despite the fact that the manslayer is confined to such cities until the death of the High Priest, they are not *prisons*. They "must form," concludes Hirsch, "a complete world on a small scale." (Commentary on Numbers 35:6-12)

Medieval commentator Aharon Halevi does not agree with Hirsch's point of view, stressing that asylum cities are meant as punishment places for those who cause the death of others. "Their crime is great because it corrupts the entire world. Our teachers say that a person who commits a premeditated murder will not be saved from death even though he may have observed all the other commandments of Torah. . . . Therefore, a person who has unintentionally caused the death of another deserves the punishment of exile because he has been the agent for a terrible accident. The punishment of exile is comparable to death in a social sense because he is separated from his loved ones and home. He is sent to live among strangers." (*Sefer ha-Hinuch*, 410)

Halevi's view reflects the opinion of some early rabbis who compare the "exile" of Adam from the Garden of Eden to the "exile" of the unintentional murderer to one of the *arei miklat*. Yet the punishment is mixed with compassion. The rabbis point out that Adam ate from the Tree of Knowledge of Good and Bad even though he had been told, "In the day that you eat from that tree, you will die." (Genesis 2:17) Yet God did not put him to death. Instead, say the rabbis, God demonstrates compassion and expels him from the Garden of Eden.

The lesson to be learned here, continue the rabbis, is that human beings are to show compassion upon "the fate of one who commits murder in error. Such a person is to be protected from avengers and exiled from his own home to cities of refuge. . . . Furthermore, you are to establish resting places on the direct roads leading to them, and at each resting place and along the way there are to be signs reading 'To the cities of asylum' so that the person will know how to get there." (*Numbers Rabbah* 23:13)

Rabbi Yitzhak Magriso, author of *Me'Am Lo'ez*, also stresses the compassion shown by Jewish tradition toward the unintentional murderer by creating the *arei miklat*. Their purpose, he main-

tains, is "to prevent the blood avenger from killing him." Rabbi Magriso adds that the "reason given for the killer having to stay in the city of refuge until the death of the High Priest is that the relatives of the murdered person would then relent. By mourning for the death of a great person, their own anguish would cool since they would come to realize that all human beings die sooner or later, even the greatest of their generation."

Rabbi Magriso recognizes the apparent inequity in connecting liberation from the city of refuge to the death of the High Priest. After all, one unintentional murderer might be confined to the city of asylum for many years while another might be required to stay for no more than a day should the High Priest die just after his assignment to the city by the court. Such disparity in the length of sentences raises questions about the fairness of linking them to the life of the High Priest. Indeed, members of a grieving family whose loved one has been killed could ask: "What kind of justice is this?"

"The answer," argues Rabbi Magriso, "is that, while there are no scales for measuring which willful murder is more terrible and which is less terrible, in the case of unintentional killings there are differences. There may be an inadvertent killing that is close to deliberate murder; for instance, when someone kills another while chopping wood. If he had looked about him, he would have seen the man standing there, and he would not have hit him. By carelessly swinging the ax to split the wood, he hit the man in the head and killed him.

"On the other hand, if the victim was far away and the metal part of the ax flew out of the other's hand and killed him, his guilt is less; in fact, the killing is considered entirely inadvertent.

"God knows the relative guilt of such inadvertent killings. . . . Accordingly, if one killed another accidentally, this could take place close to the High Priest's death, and his punishment would be correspondingly light. While, if it was close to a deliberate killing, it would take a long time before the High Priest died, and the killer's punishment would be correspondingly harsh." (Commentary on Numbers 35:9-15)

Clearly, Rabbi Magriso is establishing the principle that, because the accidental death has a variety of causes, some through carelessness, others through pure coincidence, the release from punishment ought also to be based upon "coincidence" or "fate." The death of the High Priest presents such a happenstance. No one can know the precise timing. It can be considered "God's will," not the intervention of any human being. For that reason, the "timing" of release from one of the *arei miklat*, no matter how close or far from the sentence, cannot be questioned.

Don Isaac Abravanel provides a more psychological explanation of the link between the High Priest's death and the end of exile in the *arei miklat* for the unintentional murderer. He points out that, when the High Priest died, the entire people "trembled and repented for his sins." The sense of sorrow was great. So was the feeling about the uncertainties of life itself. "It could, therefore, be assumed," explains Abravanel, "that the avenger of a person accidentally killed would, under the sad circumstances of the High Priest's death, reconsider his anger, calm himself, and no longer seek to execute vengeance for the killing of a member of his family. . . . Then it would be safe for the accidental murderer to leave the asylum city and return home." (Commentary on Numbers 35:25)

While some interpreters claim that the *arei miklat* are set aside as places of punishment or as a means of containing the "sin of murder" from spreading through the society, most Jewish teachers stress that they are meant to save the person who has committed unintentional murder from death by individuals who might take the law into their own hands and to provide a place where such a person can *live* a protected and productive life. The asylum cities are not "prison cities" or "penal colonies." Quite the opposite. The *arei miklat* are meant to be "rebirth" places where a person tormented by the shame and guilt of having accidentally taken a life would be able to surmount anguish and rebuild a creative human existence.

QUESTIONS FOR STUDY AND DISCUSSION

1. The request of the Gadites and Reubenites for settlement on the east side of the Jordan River troubles Moses. Is a person's first loyalty to his family or to his people? Are there times when we must put aside self-interest for the good of our nation and our people? What are the criteria for such a decision? What can we learn from the example of the Gadites and Reubenites?
2. Several commentators criticize Moses for his reaction to the petition of the Gadites and Reubenites. Could he have listened more sensitively and clarified their fears or desires? Should he have demonstrated more patience and understanding? Was he wrong in linking their behavior to their dead ancestors, who could not defend their reputations? Which of the interpreters explains best Moses' reaction?
3. Some interpreters argue that the *arei miklat* were created to keep the murderer from mixing in society with the result that he could meet members of the family of the person who had died at his hand. Such a meeting could cause great sadness or provoke great anger, leading to his own death at the hands of a family avenger. Is isolation a justified response to accidental murder? Is murder a crime that demands a different level of punishment? Why?
4. How would you compare the treatment of those guilty of accidental murder today with the treatment suggested by the Torah and our interpreters?