

Parsha Ponders

Shoftim | September 1, 2022 | 5 Elul 5782

Refuge from death¹

ואם-ירחיב יקוק אלקיך את-גבולך כאשר נשבע לאבתך ונתן לך את-כל-הארץ אשר דבר לתת לאבתך:
...ויספת לך עוד שלש ערים על השלש האלה

If Hashem will expand your borders, as He swore to your forefathers, He will give to you the land that he spoke to give to your forefathers...and He will increase for you three more cities, in addition to these three²

The Torah has an interesting concept known as the *Arei Milkat*, the Cities of Refuge. If someone were to accidentally murder another, the Torah commands this person be exiled to the *Arei Miklat*. They serve simultaneously as an atonement for the person's lack of precaution³, and as a safe refuge from any relatives that may want to avenge their deceased⁴. The Torah mandates three cities on the east side of the Jordan River, and three on the west. However, a verse in our *parsha* speaks of the future, the Messianic days⁵. In those days, the land of Israel will expand in size. The Torah tells us that with this added territory will come three new cities of refuge. A question that many ask on this is that in the future, no nation shall lift up sword against nation⁶. In fact, death will be abolished⁷. If so, what is the need for three new cities of refuge? The original ones will prove obsolete, as there won't be any more accidental murders, so why add more?

There seems to be a debate as to the exact way in which the final Messianic redemption will unfold. Some say that as the process unfolds and the land of Israel is expanded, there will still be a natural order of things⁸. The Cities of Refuge will therefore still be necessary. Others say that while wars will cease, initially death will still be possible. People may still accidentally murder others⁹. They will still need a place of refuge¹⁰. And yet others say that those who killed in the days preceding the Messiah will still need to achieve atonement in the cities of refuge once he comes¹¹. These extra cities then will accommodate all the accidental murderers throughout the exile, even though death will be abolished¹².

¹ Based on a *shiur* given by Rav Daniel Glatstein, found on <https://www.torahanytime.com/#/lectures?v=159408> I added some sources to what he provided

² Deuteronomy 19:8,9

³ Makkos 2b; cf. Makkos 11b (however, see Tosafos ad. loc. s.v. מידי גלות)

⁴ Numbers 35:25

⁵ Rashi, quoting Sifrei Devarim § 184

⁶ Isaiah 2:4

⁷ Ibid 25:8

⁸ Shela Hakadosh in his Shenei Luchos HaBris Hakdamas Toldos HaAdam Beis David

⁹ Aruch LaNer to Makkos 9b s.v. בגלעד

¹⁰ Seemingly just for atonement, as you would think that people in the future won't feel a need to seek revenge for their relatives' untimely demise. However, see The Lubavitcher Rebbe's approach to this in Likkutei Sichos XXIV p. 107ff

¹¹ Yedei Moshe to Devarim Rabbah 4:30; Lubavitcher Rebbe loc. cit., citing the Alshich to Deuteronomy loc. cit.; Chida in his Penei Dovid Shoftim § 11, in the name of the Sheivet Mussar

¹² Rav Daniel Glatstein also cited a reason from the Minchas Chinuch § 520, that it's simply a *gezeiras hakasuv*, a decree of the Writ, for there is no reason to build more. Rav Glatstein added a reason that in the future everyone will miraculously become righteous, so we won't need cities of refuge, but we aren't supposed to rely on miracles. He didn't cite by name who he was quoting

Some say that the futuristic existence of no death will only exist for the Jewish people. New converts to the faith after the coming of the Messiah will still be subject to nature, and could still be liable to exile¹³. Others don't limit this to converts, but say that non-Jews could still be within the confines of the natural order¹⁴. If they accidentally killed each other, they would also be subject to the *Arei Miklat*¹⁵.

Our Sages tell us¹⁶ that the Messiah can come in two ways: in his designated time, or we can merit to bring him early. If our good deeds aren't enough to bring the Messiah early, then when he comes it will be a miraculous event. For, in essence, we don't deserve his arrival. Since his arrival will be miraculous, it is in this state of being where world will function supernaturally, where there will be no war or death. However, if our merits allow the Messiah to come early, then the world will function normally¹⁷. In the situation where the Messiah comes early, that is when there will be a need for new *Arei Miklat*¹⁸.

This final approach is why the verse is stated as a hypothetical: "If Hashem were to expand your borders". Why is this something that G-d appears uncertain about? The reason is Hashem is telling us that it's not set in stone. It's dependent on our actions¹⁹. If we fail to bring the Messiah early, he will have to come in a miraculous fashion. We will then have no need for *Arei Miklat*. However, if Hashem expands your borders because the Messiah managed to come early, since the world will continue in a natural way, there will still be accidental murders. They will still need a place to seek refuge.

Good Shabbos

¹³ Chasam Sofer in his Toras Moshe I to Deuteronomy *loc. cit.*; Maskil L'Dovid *ad. loc.* The Chasam Sofer Al HaTorah *ad. loc.* gives another explanation, that *Chazal* say that *Ba'alei Teshuva* are on a higher level than those who never sinned (Berachos 34b). As such, those that never sinned will need the *Arei Miklat*, unlike the *Ba'alei Teshuva* at the end of days

¹⁴ Rav Chaim Kanievsky in his Nachal Eisan 1:1:6, and Ta'amah D'Kra *ad. loc.*

¹⁵ Makkos 8b) גר תושב אינו גולה אלא על ידי גר תושב

¹⁶ Sanhedrin 98a, based on Isaiah 60:22

¹⁷ Although, one could have thought the opposite would be true...

¹⁸ Meshech Chochmah *ad. loc.* His source seems to be the Arizal in his Likkutei Torah parshas Shoftim, brought by the Shela HaKadosh and Maskil L'Dovid *loc. cit.*, although the Arizal's approach is unsurprisingly more kabbalistic

¹⁹ *Ibid.* See also Alshich *loc. cit.*, who says this final part as well