**S.A.L.T. – PARASHOT MATOT-MASEI**

**By Rav David Silverberg**

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In memory of Alice Stone, Aida Bat Avraham, z"l & Fred Stone, Yaakov Ben Yitzhak, z"l

whose yarzeits are 2 Tammuz and 25 Tammuz,

beloved parents and grandparents

Ellen and Stanley Stone and their children

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Motzaei Shabbat

The Torah in Parashat Masei introduces the law of *ir miklat* – the cities of refuge where accidental killers would find protection from vengeful relatives of the victim. As the Torah clearly emphasizes (35:32), residence in a city of refuge is not an optional means of protection for the killer, but an outright requirement; the killer is obligated to relocate to an *ir miklat* and remain there until the death of the *kohen gadol*.

The Gemara in Masekhet Makkot (11a) famously comments that this law serves as a punishment for the *kohen gadol*, who is held responsible on some level for the tragedy that occurred. The *kohen gadol* is expected to regularly pray for the wellbeing of the entire nation, and thus an accidental murder is, to some extent, attributable to the *kohen gadol*’s failure. When such a tragedy occurs, the Torah arranged a situation whereby accidental killers would be forced into exile and would then want to pray for the *kohen gadol*’s death so they could return to their homes.

Later (11b), the Gemara takes note of the unusual manner in which the Torah here refers to the *kohen gadol*, stating that the killer must remain in an *ir miklat* “until the death of the high priest **whom he anointed with the sacred oil**” (35:25). This refers to the formal anointing procedure which was followed when a new *kohen gadol* assumed the post, which included placing special anointing oil on the new *kohen gadol*’s head. However, the Gemara observes that the phrase “*asher mashach oto*” (“whom he anointed”) could be understood to mean that the accidental killer is the one who anointed the *kohen gadol* – which is clearly not the case. The Gemara therefore reads this verse as alluding to a case where a new *kohen gadol* is appointed after the murder, but before the killer was sentenced to exile in an *ir miklat*. The phrase “*asher mashach oto*” implies that the *kohen gadol* was anointed after the killer committed his negligent act, thus instructing that even in such a case, the killer must relocate and remain in an *ir miklat* until the death of the newly-appointed *kohen gadol*. (The Gemara then raises the question of why the new *kohen gadol* is deserving of punishment in such a case, given that the mishap occurred before his appointment to the post of *kohen gadol*.)

Rav Avraham Saba, in his *Tzeror Ha-mor*, suggests an additional dimension to this reference to the *kohen gadol*, one which seeks to explain why the Torah found it necessary to mention the *kohen gadol*’s appointment in the first place. He writes that the *kohen gadol* is blamed precisely because he failed to recognize that each and every individual member of the nation appointed him as *kohen gadol*. The phrase “*asher mashach oto*,” Rav Saba explains, should be taken in its most literal sense – to mean that this accidental killer actually appointed the *kohen gadol* to his post. If a person rises to a position of leadership or public service, he must view himself as having been directly appointed by, and thus directly accountable to, each person under his or her charge. If the *kohen gadol* failed to adequately pray for the people’s wellbeing, this is likely because of the disconnect he sensed between him and the commoners, because he felt naturally entitled to his position and not answerable to the people. The tragedy of an accidental murder is thus attributed to the *kohen gadol*, who is to view each and every member of the nation as his personal “boss” to whom he is responsible and whose needs he must care for through his prayer and devoted service in the *Beit Ha-mikdash*.

Sunday

As we discussed yesterday, the Torah in Parashat Masei establishes the law requiring an accidental killer to flee to one of the specially designated cities of refuge to protect himself from the victim’s relatives, and to remain there until the death of the *kohen gadol* (35:25). The Gemara (Makkot 11a), as we saw, explains this law as punishing the *kohen gadol* for failing to adequately pray for such tragedies not to happen, as accidental killers would be tempted to pray for the *kohen gadol*’s death.

However, a variety of other explanations for this law appear in the various commentaries. One interesting approach is that taken by Seforno, who notes that unlike other punishments to which a *Beit Din* would sentence violators, exile to an *ir miklat* (city of refuge) is a punishment for an accidental act. An inadvertent killer is sent to an *ir miklat* only if he was found guilty of some degree of negligence, but, nevertheless, he killed accidently, and had no intent whatsoever to cause somebody harm. And when we deal with negligence, Seforno posits, there are varying degrees of guilt that only God Himself can determine. Some forms of negligence are indeed egregious, and thus warrant a harsher punishment, whereas other forms are more excusable, or at least less severe. For this reason, Seforno explains, the Torah chose not to designate a single, “one-size-fits-all” punishment for accidental murder. Instead, it established that the duration of a killer’s exile will be determined solely by Providence. God Himself would decide whether the killer must remain in exile for only a short period of time, or for many years, and this decision would be “announced” via the *kohen gadol*’s lifespan. The degree of guilt for accidental mishaps fluctuates so drastically from one case to another that the Torah took this determination out of the hands of *Beit Din*, leaving it to Providence to determine the length of the sentence.

Seforno’s insight should perhaps remind us that more often than not, we are best advised to reserve judgment and recognize our limited ability to determine and assess other people’s guilt for the mistakes they make. Negligence comes in many different forms and in many different degrees. Numerous mitigating factors, which only God Himself is aware of, contribute to the mistakes that we make. As in the case of the accidental killer, we cannot definitively determine the degree of guilt to ascribe to people when they err. We will never have knowledge of the full range of factors that lead people to make an insensitive or foolish remark, to make a rash, harmful decision, or to act in an irresponsible manner that ends up inflicting damage. We ought to be more sympathetic than judgmental in our relationships with the people in our lives, and recognize that the mistakes they make are, very often, far more excusable than we may initially think.

Monday

The opening section of Parashat Matot tells of the laws related to vows that Moshe presented to the nation’s leaders, a series of rules which he introduced by saying, “*Zeh ha-davar asher tziva Hashem*” (“This is the matter that the Lord commanded”). Rashi, based on the *Sifrei*, notes that this formulation is unique to Moshe’s prophecies. Other prophets commonly introduced their divine message with the proclamation, “*Ko amar Hashem*” (“Thus said the Lord”), whereas Moshe here introduced his prophecy with the phrase, “*Zeh ha-davar asher tziva Hashem*,” which represents a higher level of prophecy than that of other prophets. Rashi’s comments here are likely based upon the theory he mentioned in several other contexts (e.g. Shemot 15:2, Bamidbar 8:4) interpreting the word “*zeh*” (“this”) as referring to something that can be directly seen. According to this theory, the term “*zeh ha-davar*” used in the context of prophecy points to a special level of clarity and directness, indicating that Moshe’s prophecy marked a more direct form of communication from God than that of other prophets.

Developing this notion further, Rav Elimelech of Lizhensk suggested that the difference between “*ko amar Hashem*” as “*zeh ha-davar*” lies in the amount of faith needed to trust the prophet’s authenticity. The formulation “*ko amar Hashem*” used by most prophets points to the fact that it was not readily obvious to the audience that the prophets were the authentic conveyors of the divine word, and some leap of faith, however small, was necessary for them to accept the message. But when Moshe conveyed his prophecy, it was clear and evident that he spoke the word of God, and this is the meaning of “*zeh ha-davar*” – that the people readily perceived that his words had been communicated directly from the Almighty.

Rav Elimelech here gives us an important insight into effective teaching and instruction. This quality of Moshe’s prophecy – its being evidently authentic – is likely the outgrowth of his outstanding humility, which the Torah tells us exceeded that of all other people on earth (Bamidbar 12:3). Moshe acted and spoke without any tinge of ego or self-adulation. It was obvious to the people that he taught them not to feel important or superior, but out of a genuine desire to fulfill his mission of communicating the divine word. And this is what made him such an effective teacher and guide. The most valuable tool for a teacher or preacher is sincerity and honesty. Rhetorical devices certainly have their place and can prove helpful in delivering an important message, but ultimately, there is no substitute for sincerity in attempting to sound convincing and authentic. If one seeks to be accepted as an authentic voice for the values he or she espouses, then his or her voice must indeed be authentic. This is the difference between “*ko amar Hashem*” and “*zeh ha-davar asher tziva Hashem*.” If we are perfectly sincere and honest in the way we teach and present Torah, then we have a greater chance of earning acceptance and communicating our values and ideals effectively and convincingly.

Tuesday

The Torah in Parashat Matot tells of *Benei Yisrael*’s triumphant battle against the nation of Midyan, and the events that transpired upon the soldiers’ return with large amounts of spoils which they had seized from the Midyanites. These included the presentation given to the soldiers by Elazar, the *kohen gadol*, instructing how to make the Midyanites’ food utensils permissible for use. Different procedures were required for different utensils in order to thoroughly cleanse them of nonkosher food with which they had been used, so that they may then be used by *Benei Yisrael*. These laws form the basis of what we colloquially call today “*kashering*” – the process of expunging nonkosher food particles from a utensil so it may be used in the preparation of kosher food.

The *Sifrei*, as Rashi (31:21) cites, found it significant that these laws were taught to the soldiers by Elazar, and not by Moshe. Surprisingly, the *Sifrei* explains that Moshe forgot these *halakhot*, a result of the anger with which he greeted the nation’s generals upon their triumphant return from battle. As we read several verses earlier (31:14), Moshe angrily censured the generals for bringing the Midyanite women which they captured back to *Benei Yisrael*’s camp. The Torah uses the term “*va-yiktzof*” in describing Moshe’s reaction, which indicates an especially harsh expression of anger. The *Sifrei* thus comments (as cited by Rashi), “*Lefi she-ba Moshe li-khlal ka’as ba li-khlal ta’ut*” – “Since Moshe was angry, he erred.” Meaning, his anger resulted in his forgetting the basic laws of *kashering*.

What might be the significance of specifically this area of *Halakha* – cleansing utensils that had been used with nonkosher food – in the context of Moshe’s inappropriately angry response to the generals?

Symbolically, the process of *kashering* perhaps represents the need to “cleanse” our communities and our nation of “forbidden” elements. Just as we may not use utensils that might have particles of forbidden foodstuff embedded within their walls, similarly, we cannot accept all ideas and behaviors as legitimate. Sometimes we need to take a stand, and a strong stand, opposing doctrines and practices that are at odds with Torah tradition. In the case of the battle against Midyan, this need took the form of denying the inclusion of the women of Midyan, who had earlier lured the men of *Benei Yisrael* to sin, during the period when *Benei Yisrael* worshipped the *Ba’al Pe’or* idol. However, *Chazal* here teach us that this uncomfortable process must be devoid of anger and rage. People prone to anger should not be the ones assuming the role of “*kashering*” – of rejecting and opposing that which needs to be rejected and opposed. This role must be undertaken delicately, with composure, humility and dignity. As important as it undoubtedly is to work to “expunge” the “nonkosher” beliefs and behaviors that have made their way into our communities, this must be done without any tinge of anger or hostility, and rather with pure sincerity and out of a genuine desire to help *Am Yisrael*.

Wednesday

The Torah in Parashat Matot tells of the instructions given to the soldiers upon returning from their successful battle against Midyan for how to purge the Midyanites’ food utensils which they seized as spoils of war. These utensils, of course, had been used with non-kosher food, and the soldiers were thus informed of the procedures needed to thoroughly cleanse these utensils so they may be used for the preparation of kosher food. These guidelines form the basis of the laws of “*kashering*” that apply even today.

The Ramban (31:22) famously raises the question of why these laws were presented only now, after the war with Midyan, and not after the earlier battle against the Emorite nations, the kingdoms of Sichon and Og. The Torah writes explicitly that *Benei Yisrael* lived in the cities of the vanquished Emorites (21:31), and that they seized the Emorites’ possessions (Devarim 2:35). Seemingly, after that war, too, *Benei Yisrael* needed to learn the laws of *kashering* in order to be able to use the food utensils seized from their enemies. Why, then, were these laws presented only later, after the war with Midyan?

The Ramban offers a fascinating and controversial answer to this question, invoking the Gemara’s comment in Masekhet Chulin (17a) that *Benei Yisrael* were permitted to eat the Canaanites’ food during the years when they fought to conquer the Land of Israel. Unlike the war against Midyan, the Ramban explains, the war against the Emorites was considered part of the process of *kibbush Eretz Yisrael* – the conquest of the land – and thus the extraordinary provision of “*kadli de-chaziri*” – permitting the consumption of the Canaanites’ food – applied. For this reason, the Ramban asserts, there was no need to purge the utensils seized from the Emorites during the war against the kingdoms of Sichon and Og.

The Ramban’s approach is novel and controversial for several different reasons, but we will note in this context just one point addressed by the *Minchat Chinukh* (527:6). It stands to reason, the *Minchat Chinukh* writes, that this unique law of “*kadli de-chaziri*” applied only to food which Torah law permits for gentiles but forbids for Jews. Such food became permissible for *Benei Yisrael* during the battles to seize the Land of Israel. However, the *Minchat Chinukh* asserts, this provision did not apply to *eiver min ha-chai* – meat taken from a live animal – which is forbidden even for gentiles. It is hardly conceivable that God would make a special provision permitting the consumption of food from which even non-Jews are expected to abstain, and we may thus reasonably assume that such food was not included in the exceptional “*kadli de-chaziri*” provision. But if this is the case, the *Minchat Chinukh* asks, then the Ramban’s answer appears flawed. Seemingly, *Benei Yisrael* needed to take into account the possibility that the Emorites did not observe the prohibition of *eiver min ha-chai*, and, therefore, some of their utensils may have been used with such food and hence required *kashering*. If so, then even if we accept the Ramban’s theory regarding the nature of the war against Sichon and Og, and that the rule of “*kadli de-chaziri*” applied during that battle, this would not suffice to explain why the laws of *kashering* were not relevant to the Emorites’ utensils.

The *Minchat Chinukh* answers this question by postulating that gentiles are permitted to prepare food with utensils that had been used with *eiver min ha-chai*. The basis for the entire concept of *kashering* – that utensils used with non-kosher food must be purged before they may be used for kosher food – is the principle of “*ta’am ke-ikar*” – that a food’s taste is halakhically akin to the food itself. This principle dictates that a utensil must be thoroughly cleansed to ensure the absence of any residual taste of the non-kosher food with which it had been used. The *Minchat Chinukh* asserts that the notion of “*ta’am ke-ikar*” was introduced by the Torah for *Benei Yisrael*, and does not apply to gentiles; for them, only *eiver min ha-chai* itself is forbidden, not its taste. Therefore, since such utensils do not require *kashering* for gentiles, they did not require *kashering* for *Benei Yisrael* after the war against Sichon and Og, since, according to the Ramban, the standard *kashrut* laws were suspended with respect to the food of these nations.

Thursday

The Torah in Parashat Masei commands *Benei Yisrael* to designate six *arei miklat* – cities of refuge for the protection of inadvertent killers who might otherwise be targeted by angry relatives of the victims. In such a case, the killer is not only invited to find refuge in an *ir miklat*, but is required to relocate and settle in the city, and to remain there until the death of the *kohen gadol* (35:25,32).

The Mishna in Masekhet Makkot (11b) emphasizes that the killer must remain in the city even if he is an important and distinguished figure, going so far as to establish that he may not leave “even if all Israel needs him, like Yoav the son of Tzeruya” – referring to the famous general who served under King David and was indispensable to *Benei Yisrael*’s military prowess during that period. The Rambam brings this *halakha* in Hilkhot Rotzei’ach (7:8), adding that the killer may not leave “even to save a life through his testimony or to save [somebody] from an idolater, a river, a fire or a collapsed building.”

Rav Meir Simcha Ha-kohen of Dvinsk, in his *Meshekh Chokhma* commentary (Bamidbar 35:28), suggests a possible explanation for why *Halakha* goes so far in its refusal to allow for even the temporary release of an inadvertent killer from the *ir miklat*. The concern, Rav Meir Simcha explains, is that if the killer is temporarily released, he might scheme to assassinate the *kohen gadol* so he could then return home. Since his “sentence” ends only with the death of the *kohen gadol*, the inadvertent killer has a clear motive to try to kill the *kohen gadol*, and for this reason he is not permitted to leave for any reason, even temporarily.

This theory proposed by the *Meshekh Chokhma* might answer a question that was asked regarding a different Mishna in Masekhet Makkot about the law of *ir miklat*. Earlier (11a), the Mishna relates that it became customary for the *kohen gadol*’s mother to occasionally visit the cities of refuge and bring gifts of food and clothing to the inadvertent killers residing there. This was done, the Mishna explains, in an effort to win these people’s favor so they would not pray for the death of the *kohen gadol*. It was felt that by receiving free gifts from the *kohen gadol*’s mother, the inadvertent killers would look kindly upon the *kohen gadol* and thus not wish for his death so they could return home. Many commentators raised the question of why the *kohen gadol*’s mother brought the gifts, instead of the *kohen gadol* himself. In light of the *Meshekh Chokhma*’s comments, we might answer that this is simply a matter of concern for the *kohen gadol*’s safety. The group of inadvertent killers sentenced to remain in an *ir miklat* until the *kohen gadol*’s death may include potentially violent individuals who could go so far as resort to murder in order to be permitted to return home. Therefore, for the sake of the *kohen gadol*’s protection, he did not personally deliver the gifts, and this was done by his mother, instead. (Incidentally, the more common answer for why the *kohen gadol* did not bring the gifts is that this would encourage unscrupulous, needy people to falsely claim to have killed inadvertently so they could relocate in an *ir miklat* and receive these free gifts of food and clothing. Now that the *kohen gadol*’s mother delivers the gifts, this scheme would not work, as the mother would likely die many years before the *kohen gadol*, and then the fraudster would be stuck in the *ir miklat* without the benefit of free gifts.)

(Taken from Yeshivat Mir’s [*Beit Midrash*, Shabbat Parashat Matot-Masei, 5777](http://beinenu.com/sites/default/files/alonim/171_42_43_77.pdf))

Friday

Parashat Masei begins with the Torah’s listing of the forty-two stations where *Benei Yisrael* encamped over the course of their forty-year journey from Egypt to the banks of the Jordan River. The Torah introduces this list with two verses which appear repetitious: “These are the journeys of the Israelites who left the land of Egypt… Moshe recorded the points of departure of their journeys by the word of the Lord, and these are their journeys by their points of departure…” The Torah twice says, “These are the journeys,” and in between it tells us that Moshe wrote down a record of *Benei Yisrael*’s journeys as God had commanded him.

Netziv offers a very creative approach to explain this otherwise repetitious introduction, suggesting that the Torah refers here to the three different phases of *Benei Yisrael*’s journey through the wilderness. The first stage consisted of their travels from Egypt to Kadeish Barnea (which is referred to as “Ritma” here in Parashat Masei; see Rashi to 33:18), where the sin of the spies occurred. During this phase, *Benei Yisrael* were focused on journeying directly to the Land of Israel – after first stopping in Sinai to receive the Torah and construct the *Mishkan*. After the sin of the spies, however, God decreed that the nation would wander in the desert for another thirty-nine years, during which the time the adult generation would perish. This second stage of traveling was not directed towards any particular geographic destination, and was merely intended as a punishment to the generation that did not trust God’s promise to lead them to victory over the nations of Canaan. The third stage began when *Benei Yisrael* reached the Tzin desert along the border with the Edomite kingdom, and they requested (and were denied) permission to cross through the territory of Edom to reach the Land of Israel. At this point, they traveled not for the sake of wandering, but once again for the purpose of reaching their destination and entering the Land of Israel.

Netziv thus suggests that the three segments of the Torah’s introduction to its lists of encampments refer, respectively, to these three stages. “These are the journeys of the Israelites” refers to their trek from Egypt to Kadesh Barnea; “Moshe recorded their points of departure…by the word of the Lord” speaks of the nation’s wandering following the sin of the spies; and “These are their journeys” refers to the final stage, when *Benei Yisrael* against journeyed towards the land.

Netziv here notes the significance of the Torah’s emphasizing specifically in regard to the second stage that it was recorded “by the word of the Lord” – because of God’s command. The first and third stages, Netziv explains, were clearly significant and worthy of being recorded, because they were geared towards an important and lofty goal – entering into the Land of Israel. The encampments of the second phrase, however, do not appear significant enough to be written, as *Benei Yisrael* traveled to these destinations not because they needed to be specifically there, but because they needed to wander. During this middle stage, God did not seem to lead *Benei Yisrael* to any particular destination, but just had them wander through the wilderness to wait until the next generation was ready to enter the land. On the surface, then, these journeys of the middle phase were not worthy of being recorded for posterity. The Torah therefore emphasizes that these were written down “*al pi Hashem*,” because God commanded Moshe to write them down, even though there did not appear to any compelling reason to do so.

The lesson being conveyed, perhaps, is that every station in life is significant, even those which we would have wished to avoid, and even those which appear to have no value. Even when it appears we are “wandering,” when we find ourselves in undesirable situations and in situations which seem to offer us nothing, there is what to be accomplished and gained. Our lives are comprised of many different stations, many of which we did not want and might seem to us bereft of any value, but they are, in truth, significant. The Torah here teaches us to make the most of every situation we ever find ourselves in at any point, and to find the opportunities for achievement in each and every station we arrive it throughout our lives.

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