

From the Rabbi's Desk
Rabbi Manes Kogan

Hillcrest Jewish Center
183-02 Union Turnpike, Flushing, NY 11366
rabbikogan@hillcrestjc.org

Mishnah with a Twist
[3]

Therefore, the Priests' Mothers Provide Sustenance and Garments so that They Would Not Pray That Their Sons Would Die

Insights into Mishnah Makkot 2:6



Background to Our Story (What you need to know to better understand the story)

Unintentional Killing and Cities of Refuge (Biblical Sources - Numbers 35:6-33)

⁶“Six of the towns you give the Levites will be cities of refuge, to which a person who has killed someone may flee. In addition, give them forty-two other towns. ⁷In all you must give the Levites forty-eight towns, together with their pasturelands. ⁸The towns you give the Levites from the land the Israelites possess are to be given in proportion to the inheritance of each tribe: Take many towns from a tribe that has many, but few from one that has few.”

⁹Then the Lord said to Moses: ¹⁰“Speak to the Israelites and say to them: ‘When you cross the Jordan into Canaan, ¹¹select some towns to be your cities of refuge, to which a person who has killed someone accidentally may flee. ¹²They will be places of refuge from the avenger, so that anyone accused of murder may not die before they stand trial before the assembly. ¹³These six towns you give will be your cities of refuge. ¹⁴Give three on this side of the Jordan and three in Canaan as cities of refuge. ¹⁵These six towns will be a place of refuge for Israelites and for foreigners residing among them, so that anyone who has killed another accidentally can flee there.

¹⁶“If anyone strikes someone a fatal blow with an iron object, that person is a murderer; the murderer is to be put to death. ¹⁷Or if anyone is holding a stone and strikes someone a fatal blow with it, that person is a murderer; the murderer is to be put to death. ¹⁸Or if anyone is holding a wooden object and strikes someone a fatal blow with it, that person is a murderer; the murderer is to be put to death. ¹⁹The avenger of blood shall put the murderer to death; when the avenger comes upon the murderer, the avenger shall put the murderer to death. ²⁰If anyone with malice aforethought shoves another or throws something at them intentionally so that they die ²¹or if out of enmity one person hits another with their fist so that the other dies, that person is to be put to death; that person is a murderer. The avenger of blood shall put the murderer to death when they meet.

²²“But if without enmity someone suddenly pushes another or throws something at them unintentionally ²³or, without seeing them, drops on them a stone heavy enough to kill

them, and they die, then since that other person was not an enemy and no harm was intended,²⁴ the assembly must judge between the accused and the avenger of blood according to these regulations.²⁵ The assembly must protect the one accused of murder from the avenger of blood and send the accused back to the city of refuge to which they fled. The accused must stay there until the death of the high priest, who was anointed with the holy oil.

²⁶ "But if the accused ever goes outside the limits of the city of refuge to which they fled²⁷ and the avenger of blood finds them outside the city, the avenger of blood may kill the accused without being guilty of murder.²⁸ The accused must stay in the city of refuge until the death of the high priest; only after the death of the high priest may they return to their own property.

²⁹ "This is to have the force of law for you throughout the generations to come, wherever you live.

³⁰ "Anyone who kills a person is to be put to death as a murderer only on the testimony of witnesses. But no one is to be put to death on the testimony of only one witness.

³¹ "Do not accept a ransom for the life of a murderer, who deserves to die. They are to be put to death.

³² "Do not accept a ransom for anyone who has fled to a city of refuge and so allow them to go back and live on their own land before the death of the high priest.

³³ "Do not pollute the land where you are. Bloodshed pollutes the land, and atonement cannot be made for the land on which blood has been shed, except by the blood of the one who shed it.³⁴ Do not defile the land where you live and where I dwell, for I, the Lord, dwell among the Israelites."

Cities of Refuge

The cities of refuge were six Levitical towns in the Kingdom of Israel and the Kingdom of Judah in which the perpetrators of accidental manslaughter could claim the right of asylum. Maimonides, invoking talmudic literature, expands the city of refuge count to all 48 Levitical cities. Outside of these cities, blood vengeance against such perpetrators was allowed by law. The Bible names the six cities of refuge as follows: Golan, Ramoth, and Bosor to the east (left bank) of the Jordan River; and Kedesh, Shechem, and Hebron on the western (right) side.

The rabbinical sources differentiated between four forms of killing, sometimes giving examples:

- Complete innocence, for which no further action was necessary. This situation arises when someone is killed while the perpetrator is fulfilling his legal duties such as corporal punishment; for example, a father who strikes his son, a teacher who disciplines/chastises his student, and an agent of the court deputized to flog transgressors.
- Negligence, which required exile to a city of refuge. This situation arises when someone is killed as a result of legal activity, which the perpetrator was not required to perform.
- Severe carelessness, for which exile is insufficient. This situation arises when someone is accidentally killed as a result of illegal activity by the perpetrator; for example, this situation arises if a shop owner fails to maintain their property, and it collapses and kills a legitimate customer.
- Murder, which was subject to the death penalty.

The Text: Mishnah Makkot 2:6

רַבִּי יוֹסִי בַר יְהוּדָה אוֹמֵר, בְּתַחֲלָה, אָחַד שׁוֹגֵג וְאָחַד מְזִיד מִקְדֵּימִין לְעָרֵי מְקֻלָּט, וּבֵית דִּין שׁוֹלְחִין וּמְבִיאִין אוֹתוֹ מִשָּׁם. מִי שֶׁנִּתְחַיֵּב מִיָּתֵהּ בְּבֵית דִּין, תְּרַגְוָהוּ. וְשִׁלָּא נִתְחַיֵּב מִיָּתֵהּ, פְּטָרוּהוּ. מִי שֶׁנִּתְחַיֵּב

גלות, מחזירין אותו למקומו, שנאמר (במדבר לה) והשיבו אתו העדה אל עיר מקלטו וגו'. אחד משוח בשמן המשחה ואחד המרבה בבגדים ואחד שעבר משיחתו, מחזירין את הרוצח. רבי יהודה אומר, אף משוח מלקמה מחזיר את הרוצח. לפיכך אמותיהן של כהנים מספקות להן מחיה וכסות, כדי שלא תפלו על בניהם שימותו. משנגמר דינו מת כהן גדול, הרי זה אינו גולה. אם עד שלא נגמר דינו מת כהן גדול ומנו אחר תחתיו, ולאחר מכן נגמר דינו, חוזר במיתתו של שני:

Rabbi Yosei bar Yehuda says: Initially, either one who killed another unintentionally or one who killed another intentionally would hurry and flee to the cities of refuge, and the court in his city would send for him and would bring him from there to stand trial. For one who was found liable to receive the death penalty in court for intentional murder, the court would execute him, and for one who was not found liable to receive the death penalty, e.g., if they deemed that the death occurred due to circumstances beyond his control, they would free him. For one who was found liable to be exiled, the court would restore him to his place in the city of refuge, as it is stated: "And the congregation shall judge between the murderer and the blood redeemer...and the congregation shall restore him to his city of refuge, that he fled there" (Numbers 35:24–25), indicating that he had been in a city of refuge before his trial. The Torah states that an unintentional murderer is required to remain in the city of refuge to which he fled until the death of the High Priest. The mishna elaborates: With regard to High Priests, who were appointed in several different manners, one anointed with the anointing oil, which was the method through which High Priests were consecrated until the oil was sequestered toward the end of the First Temple period; and one consecrated by donning multiple garments, the eight vestments unique to the High Priest, which was the practice during the Second Temple period; and one who received a temporary appointment due to the unfitness of the serving High Priest, who departed from his anointment with the restoration of the serving High Priest to active service, their deaths facilitate the return of the murderer from the city of refuge to his home. Rabbi Yehuda says: Even the death of a priest anointed for war to address the soldiers (see Deuteronomy 20:1–7) facilitates the return of the murderer. The mishna continues: Therefore, the mothers of High Priests would provide those exiled to cities of refuge with sustenance and garments so that they would not pray that their sons would die. The more comfortable their lives in the city of refuge, the less urgency they would feel to leave, and the less likely it would be that they would pray for the death of the High Priests. If, after the unintentional murderer's verdict was decided and he was sentenced to exile, the High Priest died, he is not

exiled, as the death of the High Priest exempts him from exile. If it was before his verdict was decided that the High Priest died and they appointed another in his place, and thereafter his verdict was decided, he returns from exile with the death of the second High Priest.



Explaining the Story - What is going on in our story? (Explain the sequence of events)

Comprehension and Analysis Questions

Bonus ? Why do you think the Torah commands that the involuntary murderer should be exiled to a City of Refuge as opposed to restraining the avenger of blood?

Answer 1 _____

Answer 2 _____

Answer 3 _____

Bonus ? Why do you think the Torah commands that the involuntary murderer shall stay in the City of Refuge until the death of the High Priest?

Answer 1 _____

Answer 2 _____

Answer 3 _____

Bonus ? "...the mothers of High Priests would provide those exiled to cities of refuge with sustenance and garments so that they would not pray that their sons would die." Why would they?

Answer 1 _____

Answer 2 _____

Answer 3 _____

"The Twist" – Or the Lessons We Can Learn from This Text.

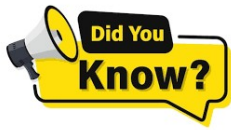
! "Sticks and stones will break my bones, but words will never harm me." Not a Jewish approach!

! Are you trying to fight ill-wishing? Try the kindness approach!



Aggaddata refers to the Talmud's non-legal discussions, including varied matters such as medical advice, historical anecdotes, moral exhortations, and folklore. Since the Mishnah is a legal codex, it is rare to find Aggaddata within its pages. Yet, on the rare occasion when Aggaddata is present, it provides us with an opportunity to delve into its significance.

In this short piece of *Aggaddata*, we experience the anguish of the High Priests' mother, who are truly afraid of other people praying for their sons to die. Contrary to our western thinking, these pious mothers believe in the power of words and ill-wishing and understand that the only way to fight back is with kindness and compassion.



Cada muerte de obispo (Spanish).

Literal Translation. each death of a bishop.

Se utiliza para destacar que lo que se hace es poco frecuente.

Probablemente cuando moría un obispo los sacerdotes que habían estado bajo su supervisión veían relajada su disciplina y se entregaban a licencias que sólo podían permitirse "cada muerte de obispo".



Man on the Moon...

A friend of Neil Armstrong said when you landed on the moon, in all the excitement, how the hell did you come up with that great saying ...

One small step for man, one giant leap for mankind?

Just Amazing to be able to come up with that, on the spur of the moment!

Neil said: I didn't say that!!

I actually said: one small step for man, One giant leap for Manny Klein.

Whaa said his friend.. Who the hell is Manny Klein?

Neil clarified: When I was down in Houston training at NASA I lived next to Manny Klein.

Our houses were close together ...

One very hot summer night...

We had a power outage and the loud air conditioners between our houses went quiet, and late at night I heard his wife say...

You want me to suck What???

She murmured... When Man walks on the moon!