

Parshas Massei

FLATTERING TO DECEIVE

Before entry into the land of Israel, the people are warned that it is not like anything they have experienced:

וְלֹא תַחְנִיפוּ אֶת הָאָרֶץ אֲשֶׁר אַתֶּם בָּהּ כִּי הַדָּם הוּא יַחְנִיף אֶת הָאָרֶץ וְלֹאֲרָץ לֹא יִכַּפֵּר לְדָם אֲשֶׁר שָׁפַד בָּהּ כִּי אִם בְּדָם שֶׁפָּכוּ – Do not deceive the land in which you live, for the blood corrupts the land. The blood which is shed in the land cannot be atoned for – except through the blood of the one who shed it. (35: 34)

The word חניפה means flattery, deception, corruption, and obfuscation. The term may seem highly odd in the context of land – these are distinctly human characteristics. But the land of Israel is no ordinary land.

R' Moshe Feinstein draws a major distinction between contemporary international politics, and Jewish law. People concerned with saving the world will go to war, leaving incredible collateral damage and destruction in its wake. This is אֶת הָאָרֶץ – the world has taken precedence over man. If people die are dying wantonly, the sanctity of life is being seriously underrated.

The only ideal to uphold is how precious every human life is – the prohibition of murder extends to every soul on earth, no matter what the circumstance. If a life must be taken, it must be precise. We know all too well that countries are scarred for years after being a battleground. This is not the way of the Torah.

The Torah tells us that the land is always secondary to man – the land is worthless if the people on it aren't good people. חניפה is the disconnect between reality and an ideal – we must always know that we have to be honest with ourselves, always trying to improve. This is what the pasuk means when it says וְלֹא תַחְנִיפוּ אֶת הָאָרֶץ אֲשֶׁר אַתֶּם בָּהּ.

We must focus attention on our own actions and behaviour.

SAFE HARBOR

The Torah teaches that a man who kills someone accidentally – manslaughter as opposed to murder – is relocated to an עיר מקלט – a city of refuge. He must remain there for the rest of his life or until the Kohen Gadol dies. A relative of the victim is appointed to pursue the murderer, and if he ever meets the killer outside the עיר מקלט, he is meant to avenge his relative and kill the man.

The Steipler Gaon explains that the עיר מקלט saves the man, but is still a punishment.

The עיר מקלט saves the killer from being hunted down by the person who sets out to avenge his family member; but even under circumstances where the avenger would not kill him, he must still flee anyway as part of the punishment. He needs to stay there until he dies, and is buried there. Being buried there and not where his family choose is also part of the punishment – independent of someone chasing him.

The Gemara in Sanhedrin records that if no relative is willing to avenge the deceased, then the Beis Din must appoint someone, a stranger. Clearly then, this law is not predicated on revenge either.

The cities of עיר מקלט were publicly owned – it is where people of Levi lived – the teachers of Bnei Yisrael. Being confined there specifically would mean he would learn from them, and correct his life and mistakes that caused his predicament. If he ever left, he would not be the same man who walked in – he would emerge enlightened.

The Beis Din needs to ensure an avenger is appointed because people, and society must always be held accountable for actions. No one can get away with crimes. The Torah is explicit that he cannot bribe his way out – the killer will stay until the end. There must always be fair justice.

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