

# VA'ESCHANAN

## RESIDENCE OF REFUGE

*Parashas Va'eschanan* is perhaps best known for its opening passage, in which Moshe *Rabbeinu* offers his final passionate plea to Hashem to permit him to enter *Eretz Yisrael*. According to Rashi, chronological context reveals the impetus for this last attempt.<sup>1</sup> At this point in the narrative, Moshe *Rabbeinu* had conquered the lands of Sichon and Og and granted them to the tribes of Reuven and Gad. Moshe thought that perhaps this victory was a sign that Hashem had annulled the verdict regarding his entry into the Land.

Despite Moshe's prayers, however, Hashem did not grant him permission to enter *Eretz Yisrael*. He accepts his fate and dedicates the remainder of the *parashah*, imploring *Bnei Yisrael* to follow the Torah with diligence and to observe the *mitzvos* with meticulousness. After recounting the national experience of receiving the Torah on *Har Sinai*, what follows is the centerpiece

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<sup>1</sup> Rashi on *Devarim* 23:3.

of *parashas Va'eschanan*, a repetition of the Ten Commandments, followed by the first paragraph of the *Shema* prayer.

Overall, the content and progression of the verses in this *parashah* seem logical. The parting words of a retiring leader are powerful and often most memorable to his followers. As the nation embarks on a new life in the Land without his guidance, Moshe Rabbeinu hopes to prepare and inspire the people with the most fundamental precepts of the Torah. However, amidst Moshe Rabbeinu's description of the revelation at *Har Sinai*, the inclusion of one short passage within the above context is quite puzzling.

Then Moshe set aside three cities on the bank of the Jordan, toward the rising sun, for a murderer to flee there, who will have killed his fellow without knowledge ... then he shall flee to one of these cities and live. This is the Torah that Moshe placed before the Children of Israel.<sup>2</sup>

This passage concerning the *arei miklat* (cities of refuge) seems glaringly out of place. In order to analyze this textual nuance, the concept of *arei miklat* (which does not apply practically in modern times) warrants explanation. In *parashas Masei*, Hashem commanded that upon entering the Land, the people would establish six specific cities to be used primarily in cases of accidental homicide.<sup>3</sup> They were secure havens where the accused criminals were safe from the vengeance of the victim's bereaved family.

The passage regarding Moshe Rabbeinu personally establishing three of the six *arei miklat* is a catalyst for several questions. The subject of *arei miklat* seems to interrupt an important teaching that begins with recounting *matan Torah* at Sinai and continues with fundamental principles such as the Ten Commandments and

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<sup>2</sup> *Devarim* 4:41-43.

<sup>3</sup> See *Bamidbar* chapter 35.

the *Shema*. Why does Moshe Rabbeinu digress from the imparting of his spiritual legacy by actively taking part in mundane aspects of the legal system, such as designating these cities?<sup>4</sup>

This question is strengthened by the fact that these three *arei miklat* would not even assume their legal status until the nation entered the Land. According to Hashem's instructions, all six *arei miklat* would become official simultaneously, and at this point in the narrative, the other three cities were not yet designated.<sup>5</sup> Why does the text describe this procedure before the cities would even be functional? Why did Moshe Rabbeinu get involved in allocating *arei miklat* that would be instituted in a future of which he personally had no part? What lessons do we learn from *parashas Va'eschanan's* unusual placement of Moshe Rabbeinu's designation of these cities?

Other questions also arise when we analyze the *pasuk* more closely. אז יבדיל משה שלש ערים בעבר הירדן מזרחה שמש (then Moshe Rabbeinu set aside three cities on the bank of the Jordan, toward the rising sun.) The implication of the word אז (then) is unclear – what is the reference point, and when did it take place? Noting this ambiguity, the *midrash* comments that the word אז in this *pasuk* is a veiled allusion to a more famous usage of the word אז, namely that of אז ישיר משה ובני ישראל את השירה הזאת, which is the introductory verse of The Song at the Sea.<sup>6</sup> Therefore, the words אז יבדיל משה שלש ערים also signify a song of praise.

Our Sages ask who sang a song of praise at the time that Moshe Rabbeinu set the cities aside. According to one interpretation, the murderer sang it. However, an alternative explanation

<sup>4</sup> See Rabbi Shraga Grossbard, *Da'as Shraga*, p. 32.

<sup>5</sup> See Rashi on *Devarim* 4:41.

<sup>6</sup> *Shemos* 15:1.

is that *Bnei Yisrael* sang it.<sup>7</sup> The first answer seems logical, since a perpetrator would naturally be grateful for the protection of *arei miklat*. However, what point does the alternate explanation make by suggesting that the whole nation sang praise for the *arei miklat*? Why would the people be thankful for these cities now, long before they come into practical use?

We should also note the unusual description of the location with the phrase *מזרחה שמש* (toward the rising sun). Our Sages of the *gemara* highlighted the atypical wording and stated as follows. “*HaKadosh Baruch Hu* said to Moshe Rabbeinu, ‘Make the sun shine for the murderers.’”<sup>8</sup> What is the meaning of this declaration? Why is imposing exile to *arei miklat* compared to “making the sun shine” for murderers? The imagery of a shining sun conveys a sense of hope. Although these cities did provide secure shelter for refugees, they also isolated the perpetrators from their families and mainstream society. How then is the act of designating them likened to “brightening” or improving the future for criminals?

Finally, *parashas Va’eschanan* is always read on the first Shabbos after Tisha B’Av, which concludes the three weeks of mourning for the destruction of the Temple. The seven weeks that follow Tisha B’Av are called “the seven weeks of consolation.” The first Shabbos of this period is called *Shabbos Nachamu*, due to the special *haftarah* we read on that day, which opens with the verse: *נחמו נחמו עמי יאמר אלוֹקֵיכֶם* (comfort, comfort My people, says your God).<sup>9</sup> What relevance does Moshe Rabbeinu’s establishment of the *arei miklat* have to *Shabbos Nachamu* and the theme of consolation after the destruction of the Temple?

<sup>7</sup> *Midrash Tanchuma Devarim* 4:41.

<sup>8</sup> *Makkos* 10a.

<sup>9</sup> *Yeshayahu* 40:1.

## Moshe Rabbeinu's Momentous *Mitzvah*

To begin our discussion, we need to analyze the designation of *arei miklat* within the context of Moshe Rabbeinu's intent in delivering his farewell address. It must be reemphasized that *parashas Va'eschanan* is a vital component of Moshe Rabbeinu's farewell address to the nation. Furthermore, *sefer Devarim* was delivered in its entirety as the Jewish people transitioned from the wilderness to the Land of Israel. After crossing the Jordan, the people would no longer witness daily miracles or be sustained by manna. At this juncture, a fledgling group of redeemed slaves was transforming itself into a cohesive independent society – a nation that would need to work the Land for sustenance and establish a civil government. Moshe Rabbeinu, in both his words and actions, intended to prepare the people for the new ways in which their relationship with Hashem would be manifest.

Both factors – Moshe Rabbeinu's parting and the nation's metamorphosis – shed light on the importance of this oddly placed passage about *arei miklat*. If Moshe Rabbeinu's passionate exhortation about Torah observance intentionally included designating cities of refuge, then clearly his behavior was **not an interruption at all**. In fact, the allocation of the *arei miklat* was a vital final message of a devoted leader. Bearing in mind that they were still unofficial, the establishment of these three cities was solely a statement of principle. As Rabbi Eli Munk explains, since they would not acquire legal status until later, the earmarking of *arei miklat* signified the primary value of human dignity.<sup>10</sup> Through the public designation of these safe havens for unfortunate offenders, Moshe Rabbeinu demonstrated that exhibiting sensitivity toward other people was an integral part of keeping the Torah.

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<sup>10</sup> *The Call of the Torah*, p. 57.

Respecting others is as fundamental to being a Jew as belief in Hashem. That is the reason why this passage about *arei miklat* is inserted immediately after the *pesukim* that affirm the existence of One God: “You shall know this day ... that Hashem, He is the God ... there is none other.”<sup>11</sup> Furthermore, faith in Hashem and respect for others are actually not separate concepts. Our relationship with God is intimately intertwined with our interpersonal behavior. Recognizing that every person was created *b’tzelem Elokim* (in the image of God) engenders genuine concern for and tolerance of others. Conversely, neglecting the needs of our fellow man is a direct insult to Hashem. For example, our Sages compare ignoring the *mitzvah* of *tzedakah* to idol worship,<sup>12</sup> because ignoring the plight of another is akin to heresy.

At this point, we can better appreciate Moshe Rabbeinu’s timing. The Jewish nation is embarking on a new life in the Land, with changes in both social structure and religious conduct. By drawing attention to the *arei miklat*, Moshe Rabbeinu emphasized that behavior in interpersonal relationships is an inseparable part of a Torah lifestyle and a connection to Hashem. Concern about others’ welfare is integral and mandatory. This message is particularly resonant on the first Shabbos after Tisha b’Av, when *parashas Va’eschanan* is always read. The *Beis HaMikdash* was destroyed due to baseless hatred and divisiveness. Our generation is responsible to repair this mistake by promoting solidarity and unity. Empathy for the pain of others – as symbolized by the allotment of *arei miklat* – cultivates this interpersonal closeness and national cohesiveness.

While one may appreciate the humanitarian principle of assigning *arei miklat*, many other *mitzvos* also exemplify this principle.

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<sup>11</sup> *Devarim* 4:39.

<sup>12</sup> *Bava Basra* 10a.

*Tzedakah*, for example, or any other act of kindness for that matter, could have illustrated the same point. Why then did Moshe Rabbeinu intentionally choose to convey this message specifically by designating cities of refuge?

Once again, focusing on Moshe Rabbeinu as an individual, within his personal historical context, may explain the motivation for his decision. Not only is Moshe Rabbeinu retiring as leader; he is also nearing his death. Faced with his own mortality, Moshe Rabbeinu perhaps reflected on the most transformative moments of his life.<sup>13</sup> For example, as a young prince in Egypt, he secretly murdered an Egyptian who was beating a Jew.<sup>14</sup> When the incident became public knowledge, Moshe Rabbeinu was forced to flee for his life. He then traveled to Midian, which became his place of refuge where he was safe from Pharaoh's vengeance. This watershed episode made a lifelong impression on Moshe Rabbeinu. In all likelihood, he deeply empathized with those unintentional murderers who fear revenge of the victim's family. It is reasonable to assume that Moshe Rabbeinu's empathy for refugee murderers explains his special affinity for the *mitzvah* of assigning *arei miklat*.

The historical significance of Moshe Rabbeinu fleeing to Midian for protection also sheds light on the usage of the term אָז. The phrase אָז יבְרִיל מֹשֶׁה שֶׁלֹּש עָרִים intentionally alludes to another case of the word אָז, namely, אָז יִשִּׁיר מֹשֶׁה וּבְנֵי יִשְׂרָאֵל. Just like Moshe Rabbeinu sang praises to Hashem for salvation at the sea, Moshe Rabbeinu is again singing *shirah*, in grateful remembrance of Hashem's deliverance from Egypt to Midian. Despite their inoperative status, Moshe Rabbeinu established these *arei miklat* as a poignant commemorative act shortly before his passing. Moshe Rabbeinu sang Hashem's praise through a gesture of eternal gratitude – the cities of refuge.

<sup>13</sup> *The Call of the Torah*, p. 57.

<sup>14</sup> *Shemos* 2:11-12.

## Metropolis of Mending

Considering our discussion, it seems plausible that Moshe Rabbeinu chose this time to teach the nation about the primacy of human dignity. Additionally, Moshe Rabbeinu's *mitzvah* of choice, *arei miklat*, does have a unique connection to a defining moment of his youth. Despite these associations, we still may wonder if allotting the cities of refuge was more than simply a symbolic act. Might this institution also serve a vital social and religious function in Jewish society in the Land? To explore this approach, we need to reframe our perception of *arei miklat*. Why is exile to a city of refuge the penalty for an unintentional murder?

At first glance, we might assume that expulsion benefits society by keeping dangerous individuals a safe distance away from the rest of the population. Another purpose of deportation might be to mete out retribution to the sinners. Similarly, banishment to an *ir miklat* was a form of incarceration, restricting the perpetrators' freedom, thereby teaching them to be more cautious in the future. However, Rabbi Dovid Hofstetter notes that there must have been additional significance to these cities. After all, if these were the only goals of exiling these criminals, wouldn't it have been more effective to establish prison compounds rather than six entire cities?<sup>15</sup> What, then, was the true objective of the *arei miklat*?

In cases of accidental homicide, when there is no malice, the sentence of exile is not delivered for the sake of justice. Hashem does not delight in penalizing transgressors. As Yechezkel HaNavi states: "Have I any desire for the wicked person's death? asks Hashem. Rather, that he repents his ways and remains alive."<sup>16</sup>

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<sup>15</sup> *Dorash David*, pp. 376-377.

<sup>16</sup> *Yechezkel* 18:23.



Upon closer analysis, we may infer that the *arei miklat* were, in fact, designed to inspire the repentance of the perpetrators.

Criminals were not the majority of inhabitants in these places, as it is stated in *parashas Masei*: “The cities that you shall give to the Levites; the six cities of refuge that you shall provide for a killer to flee there.”<sup>17</sup> Upon entrance into *Eretz Yisrael*, the tribe of Levi did not receive its own portion of land. Instead, the *Levi'im* dwelled in various appointed cities throughout the country, including the six cities of refuge. This verse highlights the allotment of the *arei miklat* to the *Levi'im*, because they were intentionally planned as Levite cities. Note the emphasis on the cities’ **population** rather than **location**. Similarly, during the nation’s wandering years in the wilderness, someone who committed murder was sent to the Levite camp for safety.<sup>18</sup> Since all the tribal campsites were transitory, evidently the places of refuge were characterized by the Levite residents and not geography.

What is the connection between *arei miklat* and their Levite inhabitants? *Levi'im* served Hashem with unparalleled loyalty and selflessness. Historically, they were not swayed by the fervor of the masses; they refused to participate in the sin of the Golden Calf. The Levite legacy was complete devotion to Hashem, and therefore *Levi'im* were always spiritual role models for the Jewish people. They served this purpose both in Egypt and in the wilderness. When the nation later inhabited the Land, the *Levi'im* continued in this role, scattered amidst the tribal provinces. When not serving in the *Beis HaMikdash*, they would be immersed in the study and teaching of Torah, as Moshe Rabbeinu states: “They [the Levites] shall teach Your statutes to Yaakov Avinu and Your Torah to Israel.”<sup>19</sup>

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<sup>17</sup> *Bamidbar* 35:6.

<sup>18</sup> As cited in *Insights in the Torah*, p. 392.

<sup>19</sup> *Devarim* 33:10.

The *Levi'im* were completely devoted to serving Hashem, and being in their company made an indelible impression. The influential presence of Levite residents therefore cultivated the ideal environment for accidental murders. *Arei miklat* were not prisons, but rather spiritual rehabilitation centers in which perpetrators could recuperate and repent.<sup>20</sup> A city of refuge was a Torah metropolis settled and managed by the most refined scholars of the Jewish nation. Banishment to such a place surrounded a refugee with the spiritual elite, who were engaged in exalted levels of Divine service and self-perfection. *Levi'im* created an inspirational atmosphere, exerting profound influence on those who had transgressed.

Expulsion to *arei miklat* intended to benefit the accidental murderers by isolating them in a nurturing environment. The positive effect of interacting with *Levi'im* is intimated by the statement of our Sages: *HaKadosh Baruch Hu* said to Moshe Rabbeinu, “Make the sun shine for the murderers.”<sup>21</sup> *Arei miklat* were indeed places of hope for these refugees, because *Levi'im* were like the sun: shining examples of *avodas Hashem*. The cities of refuge were much more than legal institutions; they were vibrant Torah centers forming the spiritual heart of the Jewish nation.<sup>22</sup> Therefore, Moshe Rabbeinu designated these *arei miklat* amidst his recounting of Hashem’s revelation at *Har Sinai*. They were part of Hashem’s Divine urban planning – institutions designed to perpetuate the lessons of *matan Torah* for the people in the Land. These spiritual education centers would be essential for their future life in *Eretz Yisrael*, since they fostered the people’s devotion to Hashem.

<sup>20</sup> *Dorash Dovid*, pp. 376-377.

<sup>21</sup> *Makkos* 10a.

<sup>22</sup> When a *rebbe* (teacher) was exiled, his whole *yeshivah* went into exile with him (*Makkos* 10a).

If *arei miklat* were the heart of the people, pumping the spiritual lifeblood of the nation, we can now appreciate both interpretations regarding the allusion to **אז ישיר משה ובני ישראל**. One opinion states that the murderer sang *shirah*, but a second explanation is that *Bnei Yisrael* sang *shirah*.<sup>23</sup> Logically, one would think that the murderer is the one who sings *shirah*. Not only is he physically saved from danger, but he is also spiritually saved – immersed in an environment conducive to spiritual growth. At the same time, the Jewish people sang *shirah*, because the *arei miklat* represented spiritual salvation for everyone. Moreover, *arei miklat* would assure the perpetuation of their Torah legacy and their spiritual future in the Land.

## Consecrated for Connection

The institution of *arei miklat* was grounds for *shirah*, because this *mitzvah* was symbolic of the nation's future relationship with Hashem. Upon settling in the Land, the Jewish people would no longer perceive Hashem's presence through daily revealed miracles, as they did in Egypt and the wilderness. Their connection to Hashem would now be founded on *emunah* – belief in Divine providence. This justifies the juxtaposition of the *arei miklat* to the affirmation of Hashem's Unity: "You shall know this day ... that Hashem, He is the God ... there is none other."<sup>24</sup>

The Rambam explains that the concept of *arei miklat* underscores the premise of *hashgachah pratis* – that nothing happens by chance.<sup>25</sup> If an accidental murder was just an "unfortunate coincidence" or "bad luck", then the perpetrator would not be held

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<sup>23</sup> *Midrash Tanchuma Devarim* 4:41.

<sup>24</sup> *Devarim* 4:39.

<sup>25</sup> As cited by Rabbi Alexdander Zusha Friedman, *Ma'ayana Shel Torah Devarim*, pp. 35-36.

accountable and subsequently exiled. Every occurrence, including an inadvertent killing, bears significance because “He is the God ... there is none other.” World events are all part of Hashem’s master plan; therefore, even an accidental homicide happens for a deeper reason, even if that reason is beyond human comprehension.

In addition to the above, the *arei miklat* also represent another important aspect of *hashgachah pratit*, which is the trust that Hashem’s orchestration of world events is **for our benefit**. As discussed, a city of refuge was a Torah paradise, not a prison. The establishment of spiritual rehabilitation centers emphasized that Hashem gave us the eternal gift of *teshuvah*; instituting *arei miklat* meant that future accidental sinners already had a mechanism in place for the purification of their souls. Before entering the Land, Moshe Rabbeinu set aside *arei miklat* to offer lasting encouragement to the nation that they would **always be given a second chance**. The people had previously learned about the cities of refuge in theory from *parashas Ma’sai*, but only here did Moshe Rabbeinu concretize this concept as representing the foundation of their relationship to Hashem.<sup>26</sup>

Only with Moshe Rabbeinu’s verbal demonstration could the nation internalize the broader ramifications: despite Moshe Rabbeinu’s passing and the cessation of miraculous supernatural phenomena, they would still enjoy a dynamic relationship with Hashem – nationally and personally. This premise strengthens the interpretation that the entire Jewish people sang *shirah* upon Moshe Rabbeinu’s designation of the *arei miklat*. At this point, they could recognize and fully appreciate that Hashem had blessed them with **both free choice and Divine providence**. Not only were they empowered to rectify their errors, but Hashem would remain intimately

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<sup>26</sup> Rabbi Chaim Ephraim Zaitchik, *Ohr Chodosh*, pp. 55-56.

involved in each person's life. Hashem created us with the ability to make amends because we enjoy a personal connection to Him. This realization was grounds for a joyous song of gratitude.<sup>27</sup>

The principle of Hashem's personal relationship with everyone is also conveyed in the *haftarah* of *Shabbos Nachamu*. Describing our future redemption, the verse states that Hashem will lead us, "like a shepherd tends to his flock, who gathers them in his arm, who carries them in his bosom and gently leads his young ones."<sup>28</sup> Hashem guides and cares for us like a shepherd, who both protects the whole flock and also tends to individual sheep. Although we may stray off course, Hashem provides the *arei miklat* as a means to guide us back to Him. The *haftarah* concludes: "Lift your eyes heavenward and see who created them; He who brings out the myriads of stars by number and calls each one by name ... not a single one is overlooked."<sup>29</sup> After the destruction of the Temple, we were scattered into exile, like the stars dispersed across the sky. Nevertheless, Hashem still connects with each star – each individual – and calls him lovingly by name.<sup>30</sup>

Our individual and intimate relationship with Hashem is also an integral part of the revelation at *Har Sinai*. As mentioned, the *arei miklat* passage follows the description of *matan Torah* because these cities would be centers for perpetuating Torah study. *Matan Torah* at *Har Sinai* was not a one-time historical event of the past. Rather, it is an ongoing, continuous revelation that exists in the present and will continue into the future.

<sup>27</sup> *Ohr Chodosh*, pp. 55-56.

<sup>28</sup> *Yeshayahu* 40:11.

<sup>29</sup> *Yeshayahu* 40:26.

<sup>30</sup> See *Torah Tapestries Bamidbar, parashas Bamidbar*, where we reference, in *Tehillim* (148:3), "He brings out [the stars] host by **number**, and He calls [the stars] all by **name**."

A central component of the Divine connection that each individual enjoys is the personalized way in which he understands Torah. Our Sages state in *Tanna Devei Eliyahu* that when every scholar studies Torah, Hashem Himself sits across from him as his study partner. Rabbi Avraham Schorr expands on this anthropomorphic analogy. Hashem reveals the Torah to scholars – and to each person – on his own level.<sup>31</sup> Since we were each created with unique capabilities, we can therefore grasp Torah only according to those abilities.

Every level of our Torah study is completely authentic, and whenever we engage in learning, Hashem provides the customized lessons. This is another reason why the *arei miklat* passage is followed by the verse: **וְזֹאת הַתּוֹרָה אֲשֶׁר שָׁם מֹשֶׁה לִפְנֵי בְנֵי יִשְׂרָאֵל**. This is the Torah that God teaches to every single Jew on his uniquely individual level. *Emunah* is the firm trust that we must have in Hashem's loving intervention – in both our life's course and our personal level of understanding of His Torah.

There is yet another explanation for juxtaposing the verse **וְזֹאת הַתּוֹרָה אֲשֶׁר שָׁם מֹשֶׁה לִפְנֵי בְנֵי יִשְׂרָאֵל** to the designation of the *arei miklat*. As discussed, *arei miklat* were defined more by the moral fiber of their residents than by their geographical locale. Thus, the allotment of cities of refuge was not the sanctification of a place, but essentially the designation of the *Levi'im* (and the other inhabitants) to fulfill their spiritual purpose. Rabbi Eliezer Meizlish develops the notion of designating a physical object for a holy purpose, and extends the concept to apply to human beings. Writing a *sefer Torah* is so exalted that it cannot be written like an ordinary book. For example, the parchment used for a Torah scroll must be specifically designated as such for it to be valid. Just

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<sup>31</sup> *HaLekach VeHaLibuv* 5763, p. 240.

as the physical tools for the Written Torah must be consecrated, so too the Jewish people are consecrated to be the vessels for the Oral Torah.<sup>32</sup>

This is the deeper implication of the apparent redundancy in the blessing: אשר בחר בנו מכל העמים ונתן לנו את תורתו (Who chose us from all the nations, and gave us His Torah). Giving the Torah was the primary purpose for which we were chosen. Stating both phrases – “choosing us from the nations” and “giving us Torah” – therefore, appears to be redundant, as they seem to be essentially the same idea. The Maharal interprets the extra words as follows: ונתן לנו את תורתו – and gave us **the capacity to be** His Torah. In addition to being chosen to receive the Torah, the Jewish people were also designated **to be like *sifrei Torah***. The verse in *Shemos* states: ואתם תהיו לי ממלכת כהנים וגוי קדוש (You shall be for Me a nation of priests and holy nation).<sup>33</sup> The word קדוש (holy) also means separated, or set aside. Furthermore, the word קדוש can be expounded as an acronym for three elements of writing a Torah scroll: קלף (parchment), דיו (ink), and שרטוט (scoring of lines). We are Hashem’s *goy kadosh* – a nation expressly designated as vessels for the Torah.

The model of *goy kadosh* explains Moshe Rabbeinu’s message regarding *arei miklat*. וזאת התורה אשר שם משה לפני בני ישראל – this, the population of the *arei miklat*, is the Torah! The *Levi'im* lived and breathed *avodas Hashem*, but this verse does not refer only to the spiritual elite. All those who immerse themselves in a Torah environment are like parchment for the Torah. When we designate and consecrate our physical faculties for spiritual purposes, we become living *sifrei Torah* – each according to his own abilities.

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<sup>32</sup> Rabbi Eliezer Meizlish, *Avodas Lag B'Omer*, p. 78.

<sup>33</sup> *Shemos* 19:6.

The following story is told about Rav Sa'adia Gaon when he was establishing a *yeshivah* and sent out fundraising letters to many major donors.<sup>34</sup> One wealthy individual decided to pledge a large amount to finance the construction of the *aron kodesh*. This donor traveled to Rav Sa'adia Gaon to deliver the donation, and was disappointed to discover that a different donor had already sponsored the *aron kodesh*. He expressed his despondence, bemoaning the loss of the opportunity to dedicate the *aron kodesh*.

Rav Sa'adia offered the following gentle yet powerful rebuke: “Do you think that the *aron kodesh* is the only place where the Torah is kept? If so, you are greatly mistaken. True, the *aron kodesh* holds the written *sifrei Torah*. But really the Torah is preserved with every chair, every table and every shtender. Every student in the *yeshivah* is a vessel for the dynamic study and perpetuation of Torah. Therefore, every single piece of furniture the students use is comparable to an *aron kodesh*.”

## Allotment with Altruism and Alacrity

Thus far, our analysis of the designation of *arei miklat* has been within the framework of Moshe Rabbeinu's personal circumstances at the time. Important lessons emerge when we consider Moshe Rabbeinu's incentives to designate *arei miklat* when he is essentially on his deathbed.<sup>35</sup> Rashi underscores Moshe Rabbeinu's determination to assign these cities before he died, even though they would not become a reality until after the people entered the Land. Quoting our Sages, Rashi notes: “Moshe Rabbeinu said: a *mitzvah*

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<sup>34</sup> Rabbi Eliezer Meizlish, *Avodas Lag B'Omer*, p. 78.

<sup>35</sup> It is important to note that although Moshe Rabbeinu knew he was about to die, the Torah emphasizes that he was fully vigorous until his last breath. See *Devarim* 34:7.



which is possible to fulfill, I shall fulfill.”<sup>36</sup> Unfortunately, a person’s imminent passing often arouses an emotional reaction of despair or hopelessness. *Why bother doing another mitzvah, what is it all for anyway?*

It is quite remarkable that considering Hashem’s irreversible decree, Moshe Rabbeinu did not react with this instinctual defeatist attitude. Instead, Moshe Rabbeinu felt that his impending death created a sense of urgency in pursuing the *mitzvah*, and he wished to seize every opportunity to carry out Hashem’s will, even in his final moments on this earth. He sensed that **any** *mitzvah* at **any** time could provide him spiritual benefit, and therefore, he fully maximized his remaining time and availability to engage in a *mitzvah*.

Not only would the cities themselves spiritually benefit the people, but Moshe Rabbeinu’s act of appointing them now was also valuable in and of itself. Moshe Rabbeinu’s enterprising behavior toward *mitzvos* served as a paradigm for the Jewish people to emulate. Every possible moment should be utilized for *avodas Hashem*. This premise sheds light on the unusual juxtaposition of Moshe Rabbeinu’s designation of *arei miklat* with the *pasuk*, וזאת התורה אשר שם משה לפני בני ישראל. According to Rabbi Mordechai David Levin, Moshe Rabbeinu’s altruistic conduct was emphasized by this verse. The phrase וזאת התורה (this is the Torah) may be interpreted as “this is a person of Torah.”<sup>37</sup> Moshe Rabbeinu exemplified the ideal “Torah persona” with his zealous and selfless determination to fulfill *mitzvos*.

Since the cities would not even be *halachically* valid, we may infer that Moshe Rabbeinu pursued this *mitzvah* without taking his personal gain into account. This concept also explains the phraseology אז יבדיל משה שלש ערים. In this context, the word אז can be

<sup>36</sup> Rashi on *Devarim* 4:41, *Makkos* 10a.

<sup>37</sup> As quoted in *Lesischa Elyon*, pp. 74-75.

understood to mean ‘nevertheless’. Despite their inactive legal status, **nevertheless** Moshe Rabbeinu appointed cities of refuge now before he died. Similarly, we can grasp the allusion to **אז ישיר משה**. Moshe Rabbeinu sang *shirah* because he was grateful for every chance to participate in a *mitzvah*, even if that *mitzvah* would not be complete during his lifetime. Another component of Moshe Rabbeinu’s message was that any degree of involvement in a *mitzvah* has its own intrinsic worth. The Rambam explains that Moshe Rabbeinu’s circumstances enabled him to fulfill only half of the *mitzvah* (appointing three out of the six *arei miklat*).<sup>38</sup> **Nevertheless**, these limitations did not diminish Moshe Rabbeinu’s desire to perform this half of the act. Why? Because Moshe Rabbeinu understood that even half of the *mitzvah* had its own merit.

Our challenge is to avoid the regrettable trend of adopting a perfectionist perspective, even when it comes to religious observance. Our society – generally valuing product more than process – tends to overemphasize achievement. Completion and end results often become the primary media for engendering a sense of satisfaction. Unfortunately, however, this philosophy contradicts the principle asserted by our Sages, “It is not incumbent upon you to complete the work, but neither are you at liberty to desist from it.”<sup>39</sup> While aiming for a goal does cultivate healthy determination, too much stress on finishing can minimize the value of the positive growth achieved during the process.<sup>40</sup> An all-or-nothing attitude – as manifest in insisting on completing a *mitzvah* – is usually indicative of somewhat selfish underlying motives.

Moshe Rabbeinu, by contrast, did not need to finish a *mitzvah* to achieve spiritual satisfaction. He performed *mitzvos* with pure

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<sup>38</sup> Rambam on *Pirkei Avos* 4:2, as quoted by Rabbi Dov Yaffe, *L’Adecha B’Emes*, p. 283.

<sup>39</sup> *Pirkei Avos* 2:21.

<sup>40</sup> *L’Adecha B’Emes*, p. 283.

intentions, solely to serve Hashem to his maximum ability. Even if he could only appoint three cities out of the six, even if they would not yet be operational, Moshe Rabbeinu still wanted to participate in the *mitzvah* of *arei miklat*. This same altruism was evident in the conduct of Dovid HaMelech. Although the building of the *Beis Hamikdash* would be left to his son Shlomo HaMelech, Dovid HaMelech prepared all the accessories for Shlomo HaMelech to be used in the future.<sup>41</sup>

The Torah persona who maximizes his time and abilities for *avodas Hashem* is distinguishable not only by his determination, but also by his alacrity. This zealotry is described in the above *gemara* quoted by Rashi: “Moshe Rabbeinu said: a *mitzvah* which is possible to fulfill, I shall fulfill.”<sup>42</sup> In the *midrash*, R’ Simai draws an analogy with the verse in *Kobeles*: “A lover of money shall not be satiated with money.”<sup>43</sup> In the *midrash*, R’ Yitzchak interprets this verse to mean: “a lover of *mitzvos* shall not be satiated with *mitzvos*.”<sup>44</sup> What meaning is conveyed by this comparison?

The desire to accumulate wealth (or any material matter) is inherently insatiable. No matter how much money a greedy person attains, he always wants more. Ironically, greed is not a loathsome trait in of itself; it becomes contemptible only when it is misdirected toward materialism. In reality, greed is the body’s actualization of the soul’s deep longing for spiritual growth. Therefore, our mission is to channel this innate, instinctive voracity toward *mitzvos*.<sup>45</sup> This ideal was exemplified by Moshe Rabbeinu, who was a lover of *mitzvos* with an unappeasable desire to fulfill Hashem’s Torah.

<sup>41</sup> *Divrei HaYamim I* 22:14, as quoted by Rabbi Munk, *The Call of the Torah*, p. 57.

<sup>42</sup> Rashi on *Devarim* 4:41, *Makkos* 10a.

<sup>43</sup> *Kobeles* 5:9.

<sup>44</sup> *Devarim Rabbah* 2:26-27.

<sup>45</sup> Rabbi Mordechai Gifter, *Pirkei Torah*, p. 261.

Why do we struggle to emulate Moshe Rabbeinu's unquenchable thirst for fulfilling *mitzvos*? Like the all-or-nothing attitude described above, a common obstacle we face is simply dreaming too big.<sup>46</sup> At times, our focus on success makes us narrow-minded, obligating ourselves to fulfill a whole *mitzvah* with all the *halachic* stringencies, or all 613 *mitzvos*. As a result, we become immobilized – intimidated by these unrealistic expectations and despairing of ever achieving anything.<sup>47</sup>

This flawed perspective is underscored by the Chofetz Chaim in the following powerful analogy. Imagine someone was standing by the seashore, and suddenly a wave washes thousands of precious stones onto the sand. What is the person's automatic reaction? He would quickly collect as many stones as possible, before the next wave washes ashore! Would he stop to think: *Wow, there are just so many precious stones here! I will never be able to collect all of them! I don't even know where to begin! Why should I even bother trying?*<sup>48</sup>

Now why is the person in this analogy not overwhelmed by the vast number of stones? Perhaps it is because he knows that every single stone is precious. It doesn't matter that he is unable to collect them all, because each one is valuable. More fundamentally, though, the reason why he is not debilitated by dichotomous thinking may relate back to "A lover of money shall not be satiated with money" and the analogy to greediness for wealth. The person will gather as many stones as possible, **because his drive to collect them is utterly insatiable!** The eagerness with which he strives to accumulate material wealth is a paradigm for our approach to *mitzvos*.

<sup>46</sup> See *Torah Tapestries Bamidbar*, Five Steps to Greatness.

<sup>47</sup> Rabbi Shimshon Dovid Pincus, *Nefesh Chayab*, p. 202.

<sup>48</sup> As quoted by Rabbi Yerachmiel Kram, *VeSalmudo VeYado*, p. 48.

We are offered myriads of *mitzvah* opportunities daily. But do we behave with appropriate alacrity and enthusiasm, seizing as many *mitzvos* as possible? We must avoid excuses and procrastination and strive to exhibit the zealousness of Moshe Rabbeinu. This precept is also illustrated in the Torah's reference to unleavened bread the phrase: ושמרתם את המצות, "and you shall guard the *matzos*."<sup>49</sup> Our Sages expound that the word "*matzos*" may be read as "*mitzvos*." In the same way as it is forbidden to allow the *matzah* dough to rise, we must protect a *mitzvah* from "spoilage." Procrastination promotes fermentation! If the opportunity to fulfill a *mitzvah* arises, we are obligated to carry it out without delay.<sup>50</sup> Moshe Rabbeinu emulated this principle in his alacritous allotment of the *arei miklat*.

## Established for Eternity

How can we strive to be genuine lovers of *mitzvos*, motivated by pure intentions? How can we emulate the level of altruism of Moshe Rabbeinu? He established the *arei miklat* to benefit the nation in many ways, as described above. However, perhaps by positively influencing the future of the Jewish people, Moshe Rabbeinu also generated his own spiritual gains. This paradoxical notion is explained at length by Rabbi Avraham Rosenthal who quotes Rabbi Malkiel Tzvi Tenenbaum<sup>51</sup> as follows. The Rashba presents a case of an individual who donated his house to be used as a synagogue. As a condition of the endowment, the donor wished to affix a plaque with his name by the entrance. This case stimulated a debate regarding the appropriateness of this request, and of publicizing an individual's magnanimity in general.

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<sup>49</sup> *Shemos* 12:17.

<sup>50</sup> Rashi on *Shemos* 12:17.

<sup>51</sup> *V'Shalal Lo Yechsar*, p. 88.

On the one hand, the Torah frequently credits commendable behavior to specific people. For example, the Torah mentions that Aharon HaKohein “rejoiced in his heart” when Moshe Rabbeinu was appointed leader, publicizing Aharon HaKohein’s selfless nobility.<sup>52</sup> However, our Sages discourage this kind of publicity, emphasizing that *mitzvos* purposely performed in a public fashion contradict the Torah precepts of modesty and humility.<sup>53</sup> Flaunting religious behavior both demonstrates and promotes haughtiness, since one is fulfilling a *mitzvah* in order to solicit praise from others.

In response to this debate, Rabbi Tenenbaum quotes another *midrash* that cites the same verse in *Koheles*: “A lover of money shall not be satiated with money”<sup>54</sup> meaning “a lover of *mitzvos* shall not be satiated with *mitzvos*.”<sup>55</sup> However, this *midrash* also quotes the remainder of the verse: “He who loves abundance has no grain,” and expounds as follows: a person who fervently pursues *mitzvos* (“loves abundance” or is spiritually greedy) yet does not fulfill a *mitzvah kevu’ab l’doros* (lit. commandment established for generations) ultimately lacks true enjoyment (“has no grain” – satisfaction). As an example, our Sages describe Moshe Rabbeinu as one “who performed many acts of kindness and *mitzvos*,” yet the Torah singles out one *mitzvah* to record for posterity – *arei miklat*.

The obvious question is the following: Did not Hashem choose Moshe Rabbeinu to transmit the Torah to the Jewish people? Was this not the ultimate *mitzvah* established for all time? How can our Sages assert that designating three *arei miklat* was Moshe Rabbeinu’s greatest legacy to future generations? The answers to these questions are revealed in a careful analysis of the

<sup>52</sup> Rashi on *Shemos* 4:14.

<sup>53</sup> *Sukkah* 49b.

<sup>54</sup> *Koheles* 5:9.

<sup>55</sup> *Vayikra Rabbah* 22:2.

phrase: *mitzvah kevu'ah l'doros*. Our Sages did not think that giving the Torah to *Bnei Yisrael* qualified as such, since Hashem specifically commanded Moshe Rabbeinu to do so. Thus, we may logically deduce that one aspect of a *mitzvah kevu'ah l'doros* is that it must be a voluntary *mitzvah*, a demonstration of going above and beyond. But how does a non-obligatory *mitzvah* translate into “an everlasting *mitzvah*?”

The key is recognizing how a *mitzvah kevu'ah l'doros* results in “grain” – ultimate satisfaction and the rewards of spiritual pursuits. Genuine delight of the soul is only achieved through fulfilling *mitzvos*. The body has a limited lifespan during which it can serve as a vehicle for *avodas Hashem*. To be truly in touch with the soul means being acutely aware of the body’s mortality, and responding with an eagerness to seize as many *mitzvos* as possible during its lifetime. However, when the authentic pleasure of *mitzvos* is one’s sole desire, it means he is a “lover of *mitzvos*” and wants to enjoy *mitzvos* even after the body expires. The only way to experience *mitzvos* after one’s death is by enabling others to do *mitzvos* in one’s name – a ***mitzvah kevu'ah l'doros***. By perpetuating a *mitzvah* into future generations, the soul can eternally benefit from that *mitzvah*’s spiritual nourishment without physically performing it. A *mitzvah kevu'ah l'doros* plants the seeds that provide future generations with the opportunity to bear the fruits. Essentially, the *mitzvah* provides spiritual merit for both the person who established it and the community that perpetuates it.

The designation of three *arei miklat* demonstrated that Moshe Rabbeinu did not need to perform a “complete *mitzvah*” to achieve spiritual satisfaction. In fact, the truth is exactly the opposite; **אז יבדיל משה שלש ערים** means that the *mitzvah*’s “incompletion” (that it would only be fulfilled in the future after his death) is what provided his “grain” – the genuine satisfaction of spiritual reward. The words themselves **אז יבדיל** are in the future tense, since the

perpetuation of the *mitzvah* into the future was Moshe Rabbeinu's ultimate goal in the moments before his passing.

This concept of a *mitzvah kevu'ah l'doros* sheds light on the case of the donor who wanted his name on the synagogue. Rabbi Tennenbaum explains that a *mitzvah* should be performed publicly **only if that *mitzvah* qualifies as a *mitzvah kevu'ah l'doros*.** A *mitzvah* we fulfill endures after our passing only when our behavior inspires others to follow suit. The case was concluded when the Rashba ruled that the donor may and should put his name on the synagogue, so that others may bear witness to his generosity and be positively influenced by his actions. From this, we may derive that through Moshe Rabbeinu's fulfillment of the *arei miklat mitzvah*, altruism and personal spiritual gain co-existed. His spiritual essence was able to endure after his body expired because he provided *Bnei Yisrael* with a *mitzvah kevu'ah l'doros*.

## Magnanimous *Mitzvah*

We have seen that Moshe Rabbeinu's designation of three *arei miklat* in *parashas Va'eschanan* contain multiple layers of interpretation. From these explanations, we may glean several lessons applicable to our lives. The passage about cities of refuge is a fitting complement to its textual context: a depiction of *Har Sinai*, affirmation of Hashem's unity, and "This is the Torah that Moshe Rabbeinu placed before *Bnei Yisrael*." First, honoring Hashem and respect for other people are two central and interdependent principles of the Torah. Cities of refuge represent sensitivity to the welfare of others, which is both an integral part of our devotion to God and rectifies the baseless hatred that has caused our lengthy exile.

Second, *arei miklat* symbolize a spiritually nurturing environment, populated by *Levi'im* who were completely immersed in



Divine service. We are profoundly influenced by the inhabitants of the places in which we live. Therefore, we should choose to dwell in communities that are conducive to spiritual growth. Surrounding ourselves by Torah role models allows us to benefit from their positive example. Although we don't have *arei miklat* today, these safe havens are poignant reminders of the gift of *teshuvah*, which is Hashem's gift to us as well. We can always improve, grow, and make amends for past mistakes.

Third, the institution of *arei miklat* affirms that our relationship with Hashem is both communal and personal. He is deeply concerned and actively involved in the life of every individual. No one suffers at the whims of fate, since every detail is orchestrated by *hashgachah pratis*. Hashem reveals the Torah to each person, on his personal level. We, in turn, must do our part by making ourselves into suitable vessels for the Torah. The *Levi'im* lived and breathed the Torah, and we are obligated to recognize that we too are walking *sifrei Torah*.

Fourth, Moshe Rabbeinu's act of designating these cities demonstrated an insatiable desire for *mitzvos*. This is a true Torah personal! He did not adopt a pessimistic outlook, even as his death was imminent. Instead, he seized every *mitzvah* opportunity available to him in his final moments. Moshe Rabbeinu was satisfied to perform even half of the *mitzvah*, because any level of *mitzvah* involvement has intrinsic benefit. Furthermore, since they would not be functional until the other three were established, Moshe Rabbeinu's early designation of three *arei miklat* was clearly for the nation's future spiritual and physical welfare.

Finally, when we "affix our name" to a *mitzvah*, we must be honest with ourselves and ensure that we don't have a hidden agenda of improving our outward religious appearance or public standing. Our observance of *mitzvos* should be fueled by a pure desire to connect to Hashem. When good deeds are performed in

a public fashion, they should have a positive influence on others and inspire them to follow suit. Our *avodas Hashem* should be driven by the same altruistic motives of Moshe Rabbeinu, those of a true lover of *mitzvos*. When we are inspired to emulate Moshe Rabbeinu, the designation of the *arei miklat* becomes his *mitzvah kevu'ab l'doros*. Both his and our merits will multiply and bear fruit, and Hashem will bring us the highest level of comfort on *Shabbos Nachamu*, by bringing the ultimate redemption.