**S.A.L.T. – PARASHAT MASEI**

**By Rav David Silverberg**

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**IN LOVING MEMORY OF**

**Jeffrey Paul Friedman**

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**לע"נ**

**יהודה פנחס בן הרב שרגא פייוועל**

**כ"ב אב תשכ"ח – י' אב תשע"ב**

**ת.נ.צ.ב.ה**

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Motzaei Shabbat

Parashat Masei begins with a list of *Benei Yisrael*’s journeys from the time they left Egypt until their encampment on the banks of the Jordan River, the final station before their entry into the Land of Israel. The Torah names each station where the nation encamped, from their initial journey from Egypt to Sukkot, to their final encampment on the banks of the Jordan.

Rashi, in his opening comments to this parasha, states that the Torah here lists “forty-two journeys” on which *Benei Yisrael* traveled. This number has practical implications with regard to the reading of the Torah on the rare occasions when Parashat Masei is read alone, without Parashat Matot (such as this year, 5776, in Israel). In most *Chumashim*, an *aliya* break is indicated in the middle of this list of journeys – specifically, after the mention of *Benei Yisrael*’s encampment near the *Yam Suf* (33:10). However, the *Magen Avraham* (428:8) cites from the *Tzeror Ha-mor* that congregations should not make an *aliya* break in the middle of the Torah’s list of journeys, since the forty-two journeys represent the forty-two-letter Name of God. In order to maintain this correspondence, the list should be read without any interruptions.

A number of writers have noted, however, that in truth, the Torah lists here only forty-one journeys. Why does Rashi speak of “forty-two journeys,” if in truth the nation made only forty-one journeys?

Two answers have been given to this question (see Rav Shlomo Mann’s [*Zot Ha-Torah*, p. 157](http://hebrewbooks.org/pdfpager.aspx?req=52341&st=&pgnum=161)). Some suggest that the number forty-two takes into account the repetition of the word “*va-yis’u*” (“they journeyed”) in the Torah’s account of *Benei Yisrael*’s initial journey, from Ramses to Sukkot. The Torah tells, “**They journeyed** **from Ramses** in the first month, on the fifteenth day of the month…as the Egyptians buried those whom the Lord struck among them, every firstborn… **The Israelites journeyed from Ramses**, and encamped in Sukkot” (33:3-4). While it is not clear why the Torah repeated the word “*va-yis’u*,” it perhaps alludes to the fact that the journey from Ramses to Sukkos occurred in two stages, thus accounting for the forty-second journey indicated by Rashi.

Others, however, answer in light of Rashi’s comments on the final verse of Sefer Shemot. The Torah there tells that there was a cloud over the *Mishkan* by day and fire by night “*be-khol mas’eihem*” – in all of *Benei Yisrael*’s “journeys.” Rashi comments that the word “*mas’eihem*” here actually refers not to the nation’s travels, but rather to their periods of encampment, because “their place of encampment is also called a ‘journey’.” Even as *Benei Yisrael* encamped, they were considered on a “journey,” since the encampment was only temporary. As such, the word “journey” can refer not only to periods of travel, but also to periods of encampment. Accordingly, we can easily understand why Rashi here in Parashat Masei makes mention of forty-two “*masa’ot*.” Although they journeyed only forty-one times, they encamped forty-two times, if we include their initial assembly in Ramses in preparation for their departure from Egypt.

The significance of this notion, that “their place of encampment is also called a ‘journey’,” is noted by Rav Yehuda Leib Ginsburg, in his [*Yalkut Yehuda* (Parashat Pekudei)](http://hebrewbooks.org/pdfpager.aspx?req=2888&st=&pgnum=189&hilite=). We cannot constantly be “journeying,” actively and intensely working to progress and advance in our *avodat Hashem*. Like travelers, we need to occasionally “encamp.” As the Gemara famously instructs in Masekhet Berakhot (35), according to the accepted view of Rabbi Yishmael, “*Hanheg bahem midat derekh eretz*” – the Torah must be studied and observed within the framework of ordinary human life, which includes ordinary, mundane activities such as work and tending to our material and physical needs. However, Rashi’s comment teaches us that even our periods of encampments must be seen as “journeys.” They must be approached as part of our lifelong process of growth, not as opportunities to temporarily excuse ourselves from this process. We must view our mundane activities, and our periods of rest and relaxation, as means of sustaining and reinvigorating our pursuit of spiritual greatness, and not as disruptions of this pursuit. This way, our entire lives, including all their many different aspects and the wide range of activities in which we engage, are incorporated and blend together into an integrated life of *avodat Hashem* and the fulfillment of the purpose for which we were brought into this world.

Sunday

The Torah in Parashat Masei briefly recounts the death of Aharon, informing us that he died at the age of 123 (33:38).

Aharon’s age at his death is mentioned by the Rambam in a surprising context – amidst his discussion of the laws of *hallel*, in Hilkhot Chanukah (3:12). The Rambam there describes how the congregational *hallel* used to be recited, telling that the *chazan* recited the entire *hallel* aloud, and at various points the congregation responded, “*Halleluy-a*.” These responses, the Rambam adds, numbered 123, and he adds, “*siman lahem shenotav shel Aharon*” – this number corresponds to the numbers of years Aharon lived. This association between the responses during *hallel* and the years of Aharon’s life is based on several earlier sources, including Masekhet Sofrim (chapter 16) and the Talmud Yerushalmi (Masekhet Shabbat, chapter 16).

What connection might there be between *hallel* and Aharon?

Rav Elimelech Meller, in the [introduction to his *Shai La-melekh*](http://hebrewbooks.org/pdfpager.aspx?req=50814&st=&pgnum=19), suggests that the answer to this question lies in Aharon’s “*ayin tova*” – the way he looked positively and favorably upon all people, as *Chazal* describe. He is famously depicted as “a lover of peace and pursuer of peace” who “loved people” (Avot 1:12). And, *Chazal* tell that when Moshe was appointed leader over *Benei Yisrael*, he was concerned that his older brother, Aharon, might feel slighted, but in truth, Aharon rejoiced over Moshe’s appointment. Aharon was somebody who focused on the positive aspects of all people, saw what to admire in them, and genuinely wished them well. He harbored no feelings of resentment, jealousy or grievance, and he thereby avoided conflict and hostility.

It is in this sense, Rav Meller suggests, that Aharon is associated with the recitation of *hallel*. In order to give praise to God, we must view our lives and the world with an “*ayin tova*.” We must look through the troubles and sorrow to find, and focus our attention on, all that for which we ought to feel grateful. *Hallel* is about gratitude, and gratitude requires a positive outlook. And thus *Chazal* drew our attention in the context of *hallel* to the example of Aharon, who looked kindly upon all people, instructing us to view the world with optimism and positivity, so we will then be moved to give praise to the Almighty with sincere emotion and joy.

Monday

The Torah in Parashat Masei (35:1-8) instructs that although the tribe of Levi did not receive a section of land in *Eretz Yisrael* like the other tribes, they were given forty-eight cities that were scattered throughout the country in which they would live.

The Talmud Yerushalmi (Ma’aser Sheni 5:5) cites a debate among the *Tanna’im* regarding the legal status of these forty-eight cities. One view maintained that each of these cities was formally owned by the tribe in whose territory it was situated, even though it was designated for the *Leviyim*’s residence. According to the other view, these cities are to be viewed as the allocated territory of the tribe of Levi, which was, from a formal, legal standpoint, no different from the territory allocated to the other tribes. This means that although every city was situated within a different tribe’s territory, the city itself was, in all respects, the territory of the *Leviyim*.

The Yerushalmi points to two practical differences between these two approaches. The first has to do with the *arei miklat* – the six cities of refuge, which were among the forty-eight Levite cities. These cities served not only as places of residence for the *Leviyim*, but also as places of refuge for inadvertent killers, who needed protection from angry relatives of the victims. The *Tanna’im* debate the question of whether or not the killer who relocated in a city of refuge needed to pay rent to the *Leviyim* in exchange for rights of residence. One view maintained that since these cities belonged to the *Leviyim*, the refugees naturally needed to pay for their lodging. According to the other view, however, the *Leviyim* did not truly own the territory of these cities, and were merely given the right to live there, and so they could not charge rent from the inadvertent killers who came to seek refuge in these cities.

The second issue relates to *vidui ma’aser* – the declaration that one must make every three years avowing compliance with the Torah’s tithing obligations. This declaration concludes with a prayer that God should bless “the land which You have given us” (Devarim 26:15), and it is therefore recited only by those who received territory in *Eretz Yisrael*. Hence, according to one view in the Mishna (Ma’aser Sheni 5:14), the view of Rabbi Meir, members of the tribe of Levi do not recite *vidui ma’aser*, as they did not receive a portion in the Land of Israel. Rabbi Yossi disagrees, arguing that since the tribe of Levi was given forty-eight cities, they are able to pray that God bless “the land which You have given us,” and so they must recite *vidui ma’aser*. As the Yerushalmi notes, Rabbi Meir is the one who maintains that the inadvertent killers seeking refuge in the *arei miklat* did not pay the *Leviyim* rent. In his view, the Levite cities did not legally belong to the tribe of Levi, and thus the *Leviyim* could not charge for rent, and they did not recite *vidui ma’aser*. According to other view among the *Tanna’im*, the *Leviyim*’s cities were legally their territory, and thus they could charge rent and were included in the obligation of *vidui ma’aser*.

From a purely textual standpoint, Rabbi Meir’s position appears more convincing. Earlier in Sefer Bamidbar (18:23), God proclaimed that the *Leviyim* would not receive a “*nachala*” (“plot,” or “portion”) in *Eretz Yisrael*, and here in Parashat Masei (35:2), God commands the other tribes to give the Levites “*arim* ***la-shavet***” – “cities **in which to live**.” This would certainly appear to indicate that the *Leviyim* received no portion of their own, but the other tribes were required to allocate portions of their territory as places of residence for the *Leviyim*. As Chizkuni writes, commenting on this verse, “Although they do not receive a share, they nevertheless need a house in which to live.” The text, therefore, would seem to support Rabbi Meir’s position, that the *Leviyim* did not truly own their cities.

The Rambam, however, in Hilkhot Ma’aser Sheni (11:16), codifies the view of the other *Tanna’im*, that *Leviyim* must declare *vidui ma’aser* because they were given cities for residence and are thus considered to have received a portion of the Land of Israel.

Tuesday

Yesterday, we noted the two views cited by the Talmud Yerushalmi (Ma’aser Sheni 5:5) regarding the forty-eight cities which were designated for the *Leviyim*, as we read in Parashat Masei (35:1-8). The debate is whether these cities were, officially, designated as the territory of the *Leviyim*, just as other portions of *Eretz Yisrael* were assigned for the other tribes, or whether the cities were considered part of the territory of the tribes in which they were situated. According to the second approach, the other tribes were required to allocate cities for the *Leviyim*’s residence, but the cities were not formally regarded as Levite territory, as each city was considered part of the territory of the tribe from which it was given. This question, as we saw, yields several ramifications, and affects, for example, the question of whether *Leviyim* are included in *halakhot* that apply only to those who received a portion in *Eretz Yisrael*.

Rav Shlomo Wahrman, in [*She’eirit Yosef* (3:48)](http://hebrewbooks.org/pdfpager.aspx?req=51883&st=&pgnum=282), raises the intriguing possibility that this debate would affect a seemingly unrelated halakic issue – the question of whether one must rend his garments when seeing the city of Chevron. The *Shulchan Arukh* (O.C. 561:1), based on the Gemara (Moed Katan 26a), rules that “one who sees the cities of Judea in their state of ruin” must rend his garments to express mourning over the loss of Jewish sovereignty over these areas. Different possible reasons exist for why this requirement applies specifically to “*arei Yehuda*” – the cities in the territory of Yehuda (as Rav Wahrman notes). Regardless, the Chida, cited in *Sha’arei Teshuva*, writes (citing his grandfather, the *Chesed Le-Avraham*) that it was customary not to recite this *berakha* upon seeing the ruins of the ancient city of Chevron, despite its being one of the ancient *arei Yehuda*. The Chida adds that the explanation given for this custom is that Chevron was one of the *arei miklat* (cities of refuge), as we read in Sefer Yehoshua (21:13). He then cites those who rejected this argument, and required tearing upon seeing Chevron just as one does upon seeing other *arei Yehuda*. Rav Wahrman suggested that this debate revolves around the question discussed in the Yerushalmi. As the Torah states in Parashat Masei (35:6), the six cities of refuge were included among the forty-eight cities designated for the *Leviyim*. As such, the question of whether Chevron should be considered one of the *arei Yehuda* depends upon whether the *arei miklat* were the property of the tribe of Levi or the property of the tribes in whose territory they are located. According to the first view – which, as we saw yesterday, is the view accepted by the Rambam – Chevron is not formally considered one of the cities of the tribe of Yehuda, despite being situated in Yehuda’s territory. It is thus perhaps for this reason it was customary not to tear one’s garments upon seeing the city under foreign rule, as Chevron does not fall under the category of “*arei Yehuda*.”

Rav Wahrman then adds that in truth, these two issues might not necessarily depend on one another. Rav Yisrael of Shklov, in his *Pe’at Ha-shulchan* (chapter 3), writes that *Halakha* requires tearing one’s garments specifically upon seeing the ruins of *arei Yehuda* because Yehuda was the royal tribe, and thus the territory of Yehuda is closely associated with the Israelite kingdom which has been lost. According to this explanation, it is possible that this *halakha* depends on the geographic region of Yehuda, and not the legal territory of Yehuda. Even if, from a formal, legal standpoint, the city of Chevron was the property of the *Leviyim*, and not of the tribe of Yehuda, it is nevertheless part of the territory associated with the Davidic dynasty. We should perhaps add that Chevron was David’s capital city when he first ascended to the throne, until the capture of Jerusalem. As Chevron is associated with the royal stature of Yehuda, beholding its ruins should require tearing one’s garments irrespective of whether we view the *arei miklat* as the property of the *Leviyim*.

Wednesday

Parashat Masei discusses the laws relevant to cases of inadvertent murder, specifically, the requirement that one who accidentally kills relocates in an *ir miklat* (city of refuge) where he is protected from angry relatives of the victim. The Torah establishes that the killer must remain in the city of refuge until the *kohen gadol*’s death (35:28).

The Mishna in Masekhet Makkot (11a) tells that it was customary for the *kohen gadol*’s mother to supply food and clothing for the killers residing in the cities of refuge. The reason, the Mishna explains, is that the killers would otherwise pray for the *kohen gadol* to die, so they can return home. In order to earn their favor so they would not pray for her son’s death, the *kohen gadol*’s mother would care for them during their stay.

The Mishna’s remark is fascinating on several levels, and gives rise to a number of different questions, including why it was specifically the *kohen gadol*’s mother who tried to “bribe” the killers. If it was important to persuade them not to pray for the *kohen gadol*’s death, why didn’t the *kohen gadol* himself care for their needs in an attempt to win their favor?

The *Panim Yafot* (here in Parashat Masei) suggests that the *kohen gadol* was not informed of inadvertent murders that took place. The Gemara (there in Makkot) comments that the Torah arranges a situation whereby people are likely to pray for the *kohen gadol*’s death as a punishment of sorts for the *kohen gadol*, whose role includes praying for the safety and protection of the nation. A tragic incident of accidental murder is blamed, at least partially, on the *kohen gadol*, and for this reason the Torah has the killers relocate and feel resentment towards the *kohen gadol*. This information was concealed from the *kohen gadol*, the *Panim Yafot* suggests, in order not to cause him undue feelings of guilt, and so naturally he was not in a position to supply food and clothing to the killers.

The *Tiferet Yisrael* commentary to the Mishna explains that it would be disrespectful for the *kohen gadol* to come before these killers and plead with them not to pray for his death. It would be demeaning for him to express this kind of fear, and also to reinforce the suspicion that he was to blame for the tragic turn of events.

A much different answer is offered by the *Arukh La-ner*, who notes that the practice to give free food and clothing to inadvertent killers could easily lead unscrupulous people facing financial hardship to pose as inadvertent killers. People might simply move into a city of refuge on the claim that they had accidentally killed somebody, and they would then be supported, at least until the *kohen gadol*’s death. In order to avoid such schemes, the *Arukh La-ner* writes, the custom developed for specifically the *kohen gadol*’s mother to supply food and clothing. The *kohen gadol*’s mother would generally pass away before the *kohen gadol*, and when she died, the inadvertent killers living in the *arei miklat* stopped receiving their free food and clothing. If a person without a means of sustenance had falsely claimed to have killed somebody in order to benefit from these privileges, he would be “trapped” in the city of refuge after the death of the *kohen gadol*’s mother, as he would be forced to live there until the *kohen gadol*’s death, and left without any livelihood. This is why the goods were provided by the *kohen gadol*’s mother, and not by the *kohen gadol* himself, as if the *kohen gadol* himself cared for the killers, frauds would be easily able to cheat the system by falsely claiming to have committed an accidental murder.

(See Rav Asher Anshel Schwartz’s [*Ma’adanei Asher*, Parashat Masei, 5768](http://hebrewbooks.org/pdfpager.aspx?req=48309&st=&pgnum=169&hilite=))

Thursday

The Torah in Parashat Masei introduces the law requiring somebody who accidentally killed another person to relocate in an *ir miklat* – one of the designated cities of refuge – and live there until the *kohen gadol*’s death (35:28). The killer would stand trial before a court, which would determine whether he killed intentionally, in which case he is liable to execution, or if he killed inadvertently, in which case they would determine whether he is guilty of negligence that requires his relocation in an *ir miklat*. As we saw yesterday, the Gemara (Makkot 11a) understood that the Torah here punishes the *kohen gadol* for failing to pray on the people’s behalf. The fact that such a tragedy could occur is attributable, at least in part, to the *kohen gadol*’s inadequate prayers, and so the Torah arranged that inadvertent killers would feel inclined to pray for the *kohen gadol* to die so they could return home.

The Mishna in Masekhet Makkot (11b) discusses the interesting case where the *kohen gadol* dies, whereupon his post is filled by his successor, in between an inadvertent murder and the court’s verdict. One might have assumed that since the *kohen gadol* who served at the time of murder is no longer alive, the killer is not required to relocate in an *ir miklat*. After all, the new *kohen gadol* should not be held accountable for this misfortune, which occurred before he assumed the post of high priest, and thus he should not deserve to have this inadvertent killer pray for his life to end. The Mishna, however, rules that the killer in this case must reside in an *ir miklat* and remain there until the passing of the new *kohen gadol*. The Gemara raises the question of why this *kohen gadol* deserves this situation, given that he rose to this position only after the accidental murder took place. As it cannot be blamed in any way on the new *kohen gadol*, it would seem unfair to have the killer relocate in an *ir miklat* and hope for the new *kohen gadol*’s death. The Gemara answers, surprisingly, that the *kohen gadol* is, in fact, partially responsible, because he should have prayed that the court would acquit the killer. The *kohen gadol* is expected to pray not only that tragic accidents won’t happen, but also that an inadvertent killer standing trial to determine whether he must relocate in an *ir miklat* would be declared by the court fully innocent. Therefore, the new *kohen gadol* is held partially responsible for the situation.

Many writers have raised the question of why the *kohen gadol* would be expected to recite such a prayer. It would certainly seem that if the individual is indeed guilty of negligence such that he deserves to be exiled to a city of refuge, the court should issue such a sentence. On a symbolic level, however, notwithstanding this question, there is much to learn from the Gemara’s comment regarding the role of the *kohen gadol* and about religious leadership generally. The Gemara here teaches that part of the role of the *kohen gadol* is to inspire “*limud zekhut*,” favorable judgment of people. He is expected to set an example of goodwill and positivity, of focusing on the goodness of all people rather than on their negative qualities. Many leaders seek to cement their position by rallying support through negativity, highlighting the unseemly qualities of their prospective opponents. The *kohen gadol*’s role is to “pray for an acquittal,” to spread positivity throughout the nation so that people judge each other favorably and avoid accusations and finger-pointing. No less important than the *kohen gadol*’s work inside the *Beit Ha-mikdash* is the influence he is to exert well beyond the Temple, inspiring the nation to view and judge one another kindly, compassionately and sympathetically, and to accustom themselves to declaring one another “innocent” as much as possible, rather than rush to find fault, criticize and cast blame.

Friday

The Torah in Parashat Masei presents several laws relevant to murder – both accidental and intentional – and concludes its discussion by warning, “You shall not defile the land…in the midst of which I reside” (35:34). The *Sifrei* explains that bloodshed causes the divine presence to depart, adding that it was because of the sin of murder that the Temple was destroyed.

As an example of the kinds of murder that occurred during the times of the *Beit Ha-mikdash*, the *Sifrei* tells a story which also appears in the Gemara (Yoma 23a), of a murder that took place on the ramp leading to the altar. Two *kohanim* raced up the ramp vying to perform the service on the altar, and during the race, one took a knife and stabbed the other, killing him. Rabbi Tzadok then stood up and spoke to everybody present, bemoaning the tragedy that had just occurred. He noted thelaw of *egla arufa*, which requires the leaders of a city near the scene of murder to perform a special ceremony, including the sacrificing of a calf, to atone for the crime. Rabbi Tzadok cried, “For whom shall we bring a calf? For the city, or for the courtyards [of the Temple]?!” The Gemara clarifies that for several reasons, the law of *egla arufa* was not applicable in this case, and Rabbi Tzadok made this proclamation in order to arouse the people’s emotion.

What exactly did Rabbi Tzadok mean by this rhetorical question – “For whom shall we bring a calf? For the city [of Jerusalem], or for the courtyards [of the Temple]?!” – and how exactly did this arouse emotion? What difference would it have made if the city of Jerusalem was theoretically responsible to perform this atonement ceremony, or if the *kohanim* of the *Beit Ha-mikdash* bore this obligation?

One explanation, perhaps, is that Rabbi Tzadok lamented the “blame game” that he anticipated in the wake of this tragedy. From experience, Rabbi Tzadok figured that in all likelihood, the people would blame the *kohanim* for what happened, and the *kohanim* would blame the people. The “city,” the general population, would view this tragic incident as an example of the *kohanim*’s corruption and violence. They would place the blame squarely on the ministers of the Temple, and call for a shakeup of the way the *Mikdash* is run. The *kohanim*, on the other hand, would likely cast the blame on the people, claiming that the negative influence of society penetrated the *Mikdash* and caused the *kohanim* to act violently. The crime that was committed, the *kohanim* would claim, cannot be blamed on the priestly class, but rather on the “city,” on the moral decline of society at large.

This was the meaning of Rabbi Tzadok’s lament. Besides the tragedy of the loss of a human life, Rabbi Tzadok bemoaned the lack of accountability. Every group shrugged off responsibility and blame, and shifted it onto another. No group was willing to accept at least partial guilt and respond with introspection and soul-searching. Instead, everyone conveniently passed the blame onto somebody else.

Rabbi Tzadok’s lament, then, teaches us of the need to look at our own shortcomings and identify our own areas of deficiency, rather than look to find fault in others. It is very easy to point out the flaws in others and cast all the blame on them, but this is not, in the long run, all that helpful for anybody. Our duty and challenge is to see where we can improve and grow, and determine how we can correct our own faults, rather than casting the blame on others so we can enjoy a false and delusional sense of innocence and self-righteousness.

(See Rav Yaakov Moshe Lessin’s [*Ha-ma’or She-ba’Torah*, vol. 2, p. 104](http://hebrewbooks.org/pdfpager.aspx?req=2325&st=&pgnum=106))

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