

Deut. 19:1 When [יָ] the LORD your God has cut down the nations whose land the LORD your God is assigning to you, and you have dispossessed them and settled in their towns and homes, ² you shall set aside three cities in the land that the LORD your God is giving you to possess. ³ You shall survey the distances, and divide into three parts the territory of the country that the LORD your God has allotted to you, so that any manslayer may have a place to flee to.— ⁴ Now this is the case of the manslayer who may flee there and live: one who has killed another unwittingly, without having been his enemy in the past. ⁵ For instance, a man goes with his neighbor into a grove to cut wood; as his hand swings the ax to cut down a tree, the ax-head flies off the handle and strikes the other so that he dies. That man shall flee to one of these cities and live.— ⁶ Otherwise, when the distance is great, the blood-avenger, pursuing the manslayer in hot anger, may overtake him and kill him; yet he did not incur the death penalty, since he had never been the other's enemy. ⁷ That is why I command you: set aside three cities.

Deut. 19:8 And when [דָּ] the LORD your God enlarges your territory, as He swore to your fathers, and gives you all the land that He promised to give your fathers— ⁹ if you faithfully observe all this Instruction that I enjoin upon you this day, to love the LORD your God and to walk in His ways at all times—then you shall add three more towns to those three. ¹⁰ Thus blood of the innocent will not be shed, bringing bloodguilt upon you in the land that the LORD your God is allotting to you.

RASHI: When the LORD your God enlarges your territory, as He swore to your fathers. To give you the land of the Kenites, the Kenizzites, and the Kadmonites, “if you faithfully observe all this Instruction” (v. 9).

RASHBAM: When the LORD your God enlarges your territory. By giving you the territory of all 10 of the nations He promised to Abraham in Genesis 15.

IBN EZRA: When the LORD your God enlarges your territory. Rather, “if” (OJPS) he does so, which is conditional on the behavior described in v. 9.

Deut. 4:41 Then Moses set aside three cities on the east side of the Jordan ⁴² to which a manslayer could escape, one who unwittingly slew a fellow man without having been hostile to him in the past; he could flee to one of these cities and live: ⁴³ Bezer, in the wilderness in the Tableland, belonging to the Reubenites; Ramoth, in Gilead, belonging to the Gadites; and Golan, in Bashan, belonging to the Manassites.

Abarbanel's Questions

- What is the story about Moses setting aside three cities of refuge (vv. 41–43) doing here? It is a most unsuitable location to bring this up!

Bernard Levinson, “Deuteronomy,” *Jewish Study Bible*

19.1–13: Cities of refuge. Under the old system of clan justice, the kin of a homicide victim assumed the burden of killing the slayer to avenge the death. Deut. limits but cannot eradicate that older system. In cases of murder, the capital punishment is not carried out by the state but by the kinsman (“the blood-avenger,” v. 12; cf. Num. 35.19, 21, which also refers to the older system) ... The literary model for the law, like many of Deut.’s laws, may be found in the Book of the Covenant, which stipulated that criminal homicide was a capital crime but exempted unintentional homicide: “He who fatally strikes a man shall be put to death. If he did not do it by

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design, but it came about by an act of God, I will assign you a place to which he can flee” (Exod. 21.12–13). But should that person have committed murder rather than manslaughter, “you shall take him from My very altar to be put to death” (Exod. 21.14) ... Once centralization declared those local altars illegitimate, Deut. had to update the law of sanctuary. Simply shifting the location of sanctuary from the local to the central sanctuary was clearly not feasible, since the distance for the trip would jeopardize the person needing protection (v. 6). Instead, Deut. retains the local setting of the law but secularizes the site of refuge. No longer the altar but three neutral “cities” are designated to fill the void, with provision made for an additional three when necessary (vv. 8–9).

Jeffrey Tigay, Deuteronomy, JPS Torah Commentary

Laws about asylum appear twice earlier in the Torah, each time with a different emphasis. Exodus 21:13–14 establishes the distinction between accidental and intentional killing, stating that God will establish a place to which accidental killers may flee, but that intentional killers are to be denied even the time-honored asylum of the altar ... Numbers 35:9–34 fleshes out the law. It identifies the places of refuge as six Levitical cities. It describes circumstances which create a prima facie case that the killing was intentional and then a smaller number of conditions establishing that it may not have been. It confines the accidental killer to the city until the death of the high priest, and warns that if he leaves earlier, the blood avenger may kill him with impunity ... Deuteronomy’s main focus is the complementary principle that the innocent not be wrongly executed ... Asylum cities are mentioned again in Joshua 20, which tells how the six cities were chosen and briefly describes their function, combining details from Numbers and Deuteronomy.

NAHMANIDES [to v. 2]: You shall set aside three cities. This too is further clarification of a commandment that has already been given. According to v. 1, the Israelites are not obligated to fulfill this commandment until they have conquered the land and settled it. That is in fact what happened; see Joshua 20.

HIZKUNI [to v. 3]: Divide into three parts the territory of the country. It was 100 leagues from the southern border to Hebron, 100 more to Shechem, 100 more to Kedesh, and 100 more from there to the northern border.

GERSONIDES [to v. 3]: Divide into three parts the territory of the country. The country is to be divided into three equal parts, with a city of refuge centrally located in each.

RASHI [to v. 9]: Then you shall add three more towns to those three. Making a total of nine—three east of the Jordan, three in Canaan, and these three to be added in the future.

BEKHOR SHOR [to v. 9]: Then you shall add three more towns to those three. To the three that I have already set aside east of the Jordan.

GERSONIDES [to v. 9]: Since God’s promise in 1 Kings 11:39 that He “will chastise David’s descendants, *though not forever*” has still not been fulfilled, it is clear that this verse is speaking about the far future. In the words of Dan. 12:12, “Happy the one who waits and reaches” that time!

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