

MAS'E 5777 - THE SOUL (BLOOD) OF THE VICTIM MUST BE REDEEMED

Spiritually we can define death as the separation of the soul from the body. The act of murder damages the **צלם אלהים** which as the clothing of the soul is the interface between the body and its spirit. When a halakhically defined unintentional murder is committed - the soul of the victim can find itself unprepared to ascend to its place in the celestial regions above. It appears to me that as a result of being murdered - this soul will need to progress through up to three stages until it reaches back up to its spiritual root in the celestial worlds. At death the soul initially becomes attached to the **רוצח** - with an opportunity to ascend directly back to its spiritual resting place via an act of his relative called the **גואל הדם** - or the redeemer of his soul. He can legally kill the unintentional murderer in order to detach it from the **רוצח** allowing it to soar back above. If the **גואל הדם** does not kill the **רוצח** and redeem the soul of his direct heir then the soul enters its next stage when the **רוצח** reaches a city of Miklat or consciously enters one of the 42 other levitical cities. It is only here that the **רוצח** - not only saves himself but offers containment or **מקלט** to the estranged soul. The final stage occurs at the death of the Kohen Gadol when the soul will ascend with this Holy person of Israel to his elevated place above - and therefore the **רוצח** no longer needs to remain in the place of containment - as the victim's soul has left him. The **גואל** has no reason at this stage to kill him - as the murderer looses his attachment to his victim's soul.

THE FIRST STAGE OF THE MURDERED SOUL

Though there is reason to believe that **קין** had murdered **הבל** intentionally - we can nevertheless learn what happens to the soul of the victim as a result. The verse reads **קול דמי אחיך צועקים אלי מן האדמה** - The voice of your brother's blood is screaming to me from the ground. The blood here is used in place of the soul. Evidently the soul of **הבל** the victim had not found its spiritual resting place - but remains in agony. **קין** recognizes that as a result of being the **רוצח** - the only way for the soul of his brother to be redeemed or released - will be only through the death of **קין** the killer. **קין** understands that he now carries the soul of **הבל** - Others will recognize the fact that the way to redeem it will be to justifiably kill **קין** - Hashem provides **קין** with an **אות** (sending him) to a place called Nod. In order to appreciate the spiritual significance - of this **אות** and exile of **קין** - we must look towards our parasha describing the requirement of a murderer to go to one of the 6 **ערי מקלט** or 42 cities of the Leviim. It is obviously no coincidence that we are taught that Israel needed to journey via 42 stages to reach the land. The journeys are described as **מסעי** which has a numerical value of 180 - similarly we are taught that **קין** would need to ascend on behalf of the soul of **הבל** to a level called **נוד** literally to move and isolate. This expression (See Imre Hayyim cited by R. S. Donn) also has the same numerical value of 180 as the **מסעי** or 42 journeys. This exile of **קין** is compared to the exile of a murderer to the city of the Leviim. In describing an inadvertent murderer the Torah testifies that he lacked **דעת** - this I believe is a crucial element of the entrance of the murderer into one of the 42 cities of the Leviim. There - we will see below - the **רוצח** - will be endowed with the spiritual channel called Da'at. This I believe is the **אות** - that Hashem gave Kayin. It is the sign that he is not to be murdered - With the attainment of the spirituality of Da'at the soul of **הבל** will ultimately ascend without the need of murdering **קין** - If however the murderer remains in his place - the soul of his victim still cries out from the ground - The Talmud teaches (Makkot 11) that a direct heir relative has either a Misva (R. Yose Hagelili) or at least the permission (R. Akiva) to kill the murderer to free the soul of his relative. He is rightly called the **גואל הדם** - The redeemer of the blood or soul of his kinsman.

THE UNINTENTIONAL SLAYER NEEDS TO GAIN DAAT

The category of killers which includes one who does so ב-שוגג - inadvertently is nevertheless called by the Torah numerous times a רוצח - murderer. This is due to the fact that though he is not considered grossly negligent in the matter - there still is a measure of negligence -in his actions. The Torah explains what he was lacking - (Dev 4:42) - אשר ירצח את רעהו בבלי דעת - who would have murdered his fellow without Daat. The Talmudic sources describe this personal spiritual fault of being without the benefit of דעת and how it resulted in his being placed in the apparent happenstance position as an unintentional murderer. A Mishna in Makkot (9) teaches that whenever one can say that he killed with full awareness דעת he is not exiled - but if it seems clear that he killed without awareness שלא דעת he is exiled. In Sotah (49) the Talmud explains this verse similarly and teaches that this lack of Daat is synonymous with his absence of Torah. R. Pinhas Ben Yair (AZ 20) in a Beraita sets forth the path by which a person can fulfill his life purpose - the levels one must ascend to that of תחתית המתים - The levels and how to attain them are elaborated by Ramhal in Mesilat Yesharim תורה מביאה לידי זהירות - Namely - One arrives at carefulness only thru Torah - R.B. Rosenblum quotes R. Isaac Sher who reasons from this that the murderer lacked Daat - Torah and henceforth did not attain זהירות and thereby murdered his victim. He had no basis upon which to be careful. His rehabilitation therefore includes that he live amongst the Leviim or teachers of Torah - in the ערי מקלט - or cities of the Leviim - in order to rectify the cause of his action - or the lack of Daat. On a deeper level it appears to me - that the murderer lacks the spiritual channel called דעת עליון - this is similar to what occurred in the sin of Adam HaRishon. He attached himself to a lower Daat or עין הדעת טוב ורע - without first attaching himself to the עץ החיים or Torah - thereby bringing an accidental death (Tanhuma Shemot 17) into the world. Hence with the attainment of דעת עליון which the Talmud has associated with Torah he creates a spiritual channel for himself and the soul of his victim to ascend to an elevated stage - in the rehabilitation process.

THE 42 + 6 CITIES OF ATTACHMENT

While the murderer remains in one of these cities - the soul of his victim remains elevated and at ease. These cities are referred to as מקלט a place where the soul is contained. Why? The Torah rules that both 6 cities called ערי מקלט and the 42 additional cities of the לויים can serve this purpose. In addition they also serve the purpose in rehabilitating the murderer of his spiritual blemish - or the lack of דעת - Upon entering these places the spiritual channel called דעת descends upon the murderer to rectify his blemish - and at the same time - serve to contain the soul of the victim without pain until the time comes for it to ascend. While the רוצח remains in the custody of the Torah's teachers - as the verse כי שפתי כהן ישמרו דעת - he is embellished with Daat - This is also in line with the secret of the Talmudic statement (Makkot 10) that the words of Torah קולטין - It is apparent from the Talmud that 6 cities of refuge have a benefit over that of the 42 levitical cities. While the latter only offers protection to the רוצח with the activation of Daat - The Talmud (Makkot 10) teaches in the name of Abaye that the former קולטות בין לדעת בין שלא לגעת - No activation is necessary for the רוצח to activate this channel in these 6 cities. This I suppose was the intent of Moshe - as he designated three of the cities across the Jordan before his death. For only he was innately endowed with the spiritually intensity of the higher Daat. Both the רוצח and the victim's soul will then ascend with the death of the Kohen Gadol. For it is only via the death of one who caused the שכינה to dwell on Israel - that can return equilibrium to the soul and his inadvertent murderer.

Shabbat Shalom

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