

## **But if with suddenness, without enmity, did he push him... and the assembly shall return him to his city of refuge where he had fled... he shall dwell in it until the death of the Kohen Gadol. (35:22,25)**

In the *Talmud Makos 11b*, *Chazal* tell us that the unintentional murderer is not permitted to leave the City of Refuge. Indeed, he is confined there until the death of the *Kohen Gadol*. Nothing - regardless of its critical need - can change this. Even if he is a great general who is needed by *Klal Yisrael*, he may not leave. There he lives; there he will die; there he will be buried. This *halachah* is perplexing. We are taught that *pikuach nefesh*, issues concerning life or death, are of overriding concern. Thus, they have the power to push aside every negative commandment- except for the cardinal sins of adultery, idolworship and murder. If *Klal Yisrael* is at war and the general's expertise is of crucial necessity, is that not *pikuach nefesh*? How many soldiers must perish in order to allow the general to leave the City of Refuge?

The *Ohr Sameach* on the *Rambam, Hilchos Rotzeach, 7:8*, explains that in reality it is not forbidden for the unintentional murderer to leave the City of Refuge. It is just that, if he leaves momentarily, the relative of his victim may kill him. It is not incumbent upon the unintentional murderer to put his life in danger for any reason, even for the benefit of others.

We still must endeavor to understand what transpires at the time of the *Kohen Gadol's* death that creates a situation in which the unintentional murderer may feel free to leave. In his *Moreh Nevuchim*, the *Rambam* explains that when the *Kohen Gadol* dies, everyone is so overwrought with grief -- they are so overwhelmed with pain and sorrow -- that it overrides their personal pain concerning their relative who had been killed.

This is a remarkable statement. On the one hand, we have just indicated that there exists a real threat to the life of the unintentional murderer, even many years after the tragic accident occurred. On the other hand, we see that if the *Kohen Gadol* dies, even if it is immediately following the tragic accident, the murderer is free to leave the City of Refuge, because the relative who seeks vengeance is too preoccupied with grief. This is incredible. This applies to all men, even the simplest Jew will be overwhelmed with grief, a grief that transcends even his own personal mourning for a close relative! How are we to understand this?

*Horav Shmuel Truvitz, Shlita*, posits that this *halachah* applies only to the *Kohen Gadol*, not the *Navi*, the *melech*, or the head of the *Sanhedrin*. The esteem in which the *Kohen Gadol* was held was unparalleled. Indeed, when he sat *shiva*, the people would console him by saying, "*Anu kaporascha*," "we are your atonement," we are willed to accept whatever fate has destined for you. This is attributed to the *Kohen Gadol's* function as the *mechaper*, "atoner" for *Klal Yisrael*. The *Kohen Gadol* serves as the one who goes before the Almighty into *Kodshei Kodoshim*, Holy of

Holies, carrying the sins of *Klal Yisrael*, imploring Hashem's forgiveness. He prays for *kaparah*, atonement, for *Klal Yisrael*. This makes him special. Only after one realizes the gravity of sin and the awesome breach that it creates, can he can begin to grasp the function of the one who serves as an intermediary to invoke atonement for these sins. The *Kohen Gadol* had an awesome responsibility. This is why his passing was noted with an outpouring of such overwhelming grief.