

And a murderer shall flee there – one who takes a life unintentionally. (35:11)

Rabbeinu Bachya asks a question that only a *Rishon* could ask. He wonders about the disparity in punishment between the *rotzeiach b'shogeg*, inadvertent murderer, and the *rotzeiach b'meizid*, premeditated murderer. After all is said and done, they are both murderers. If the premeditated murderer would escape to the *ir miklat*, city of refuge, he would be immediately yanked out. Why is he different than his inadvertent counterpart? At the end of the day, two victims lay in the morgue. They are both deceased. Disparate *dinim*, laws, apply to each of the murderers. Why is this?

Obviously, this question is rhetorical. The difference between the two murderers is a single characteristic, but this characteristic transforms the two acts of murder into two distinct acts. It is all about *kavanah*, intent. The premeditated murderer knew what he was doing, and, with intent and malice aforethought, he killed a man. That is murder in the first degree. The inadvertent murderer was not thinking. He had no intention to hurt anyone. Without *kavanah*, intention, it is not considered to be murder.

Having said this, we move on to *Bircas Hamazon*, Grace after Meals. Two people enjoy a sumptuous meal. They now prepare to *bentch*, say grace. One recites the *bentching* joyfully, with enthusiasm and gratitude for having been able to partake of a meal. He blesses Hashem, because he realizes that his meal, like everything else in his life, comes to him by the grace of Hashem. The other fellow also *bentches*, but with a lack of feeling, no enthusiasm, no *kavanah* whatsoever – just reading the words by rote. Does a difference exist between the two? Yes. One is *bentching*; the other is reciting words.

In a lecture delivered in *Yeshivas Ponevez*, *Horav Eliyahu Lopian, zl*, emphasized the importance of *machshavah*, thought/thinking, and *kavanah*, intention, with the following story: The blood libels have been an excuse for our gentile detractors to wreak havoc on Jewish life and property for centuries. In Western Europe, where Christianity was the primary religion, it created an opportunity for massacre. It was always *Pesach* time when, after “suddenly” finding a gentile corpse, word would spread that the Jews had killed a gentile, to drain his blood for *matzah*. [The fact that *matzah* is white and blood is red meant nothing to these anti-Semites. There is no rationale behind the virulent hatred to which we as a people have been subjected throughout the millennia. It is by Heavenly design. Hashem has His reasons.] In North Africa, a blood libel was an excuse to drive out the Jews and seize their property and possessions.

Horav Baruch Toledano, zl, was *Rav* in Meknes, Morocco. The king of Morocco was a kindhearted, benevolent king who was friendly with the Jews. He once summoned *Rav Toledano* and asked him, “Is it true that the Jews use blood for their *matzos*?” This is how far it went! Good friends; respect, but deep down-suspicion.

One year, a gentile corpse was discovered in the courtyard of a Jew. Immediately, the cry of *Itbach el Yehud*, "Kill the Jews," coursed through the town. The mayor of the town was a sensible person, not given to losing his mind over every accusation against his Jewish citizens. He immediately asked the gentile accusers, "What makes you so certain that this corpse is the work of a Jew? Perhaps he was murdered by one of our citizens – and not a Jew? I have an idea. We will determine whether the murderer came from within the house (in the Jewish courtyard); if so, then we can safely assume that the murderer is Jewish. If we determine, however, that the murderer came from outside the courtyard, then obviously it was a gentile who murdered the man."

"How can we make this determination?" the people asked their mayor. "We will bring in a search dog who will sniff the corpse and follow the scent on his body. If the scent leads the dog into the house, then it will prove that the corpse had been in the house. Otherwise, if the dog's sense of smell leads him outside of the courtyard, this will indicate that the man was killed elsewhere and brought here."

When the Jewish community heard that their fate was to be decided by a dog, they all gathered in the *shul* and in their homes to pray to Hashem to lead the dog outside of the courtyard. Imagine if the dog would err and for some reason go toward the house. It would spell disaster for the Jews of the community – and death for the Jews living in the courtyard.

The dog was brought in. It was a large bulldog who immediately went about its work of sniffing. Back and forth it went. The dog circled the corpse a number of times, each time taking a sniff. Every time the dog left the corpse, the Jewish community waited with bated breath to see which way it would go. [They knew quite well that the murderer was not a member of their community, but everything relied on this canine judge.] Finally, the dog took one last sniff and walked outside the courtyard. The Jewish community released their breath and broke into song and dance, offering their gratitude to Hashem. End of story.

Rav Elya looked at the students and asked, "What type of reward is warranted for the dog? He saved thirty-thousand Jews from expulsion, and an entire family from execution. Certainly, he deserves a special reward." [The dog will not go to *Gan Eden*, Paradise. Even in this world, there is very little with which he can be rewarded. What can we do for this dog?] Rav Elya answered, "The dog receives nothing, because he did nothing unusual. He was taught how to sniff and, after much training, he excelled at what he was taught, but, after all is said and done, the dog did what he was taught to do. He acted naturally. For acting naturally, there is no reward!"

The *Mashgiach* concluded with a caveat, "If a Jew rises in the morning and, by rote, washes his hands, gets dressed, goes to *shul*, puts on his *Tallis* and *Tefillin*, *davens*, and then goes home at the conclusion of his prayers – what did he do that was so special? It is natural. He is an observant Jew who is used to this routine. He performs the exact same routine day in and day out. Does he deserve a reward for acting naturally?"

We all know where this is going. Two people can stand next to each other in *shul*. One is acting naturally, by rote. The other is performing a service to Hashem. Wherein lies the difference?

Machshavah/kavanah. The intention elevates a natural act and makes it a service to Hashem. This is “probably” something we should consider the next time we do any form of *mitzvah*. Are we just “doing,” or are we performing a service to Hashem?